

ELK GROVE COMMUNITY SERVICES DISTRICT
8820 Elk Grove Boulevard
Elk Grove, CA 95624
(916) 405-7150
(916) 685-5216 - FAX
www.egcsd.ca.gov

A G E N D A

*Your Independent Local Government Agency Providing
Parks, Recreation, Fire and Emergency Medical Services*

REGULAR BOARD OF DIRECTORS MEETINGS ARE HELD:
1st and 3rd Tuesdays

REGULAR BOARD MEETING
TUESDAY, December 6, 2005 – 6:30 p.m.
EGCSD Administration Building - Board Room
8820 Elk Grove Boulevard
Elk Grove, CA

BOARD MEMBERS

| | |
|------------------|----------------|
| Elliot Mulberg, | President |
| Elaine Wright, | Vice President |
| Gil Albiani, | Board Member |
| Gerald Derr, | Board Member |
| Douglas McElroy, | Board Member |

STAFF

| | |
|-------------------|--|
| Donna L. Hansen, | General Manager & Secretary of the Board |
| Keith Grueneberg, | Fire Chief |
| Sue Wise, | Administrator of Parks & Recreation |
| Jeff Ramos, | Chief Operating Officer |

| <p style="text-align: center;">ELK GROVE COMMUNITY SERVICES DISTRICT REGULAR BOARD MEETING TUESDAY, DECEMBER 6, 2005 – 6:30 p.m. AGENDA</p> | <p style="text-align: center;">PAGE I</p> |
|--|--|
| <p><i>All items submitted for the EGCS D Agenda must be in writing. The deadline for submitting these items is 4:00 P.M. on the Monday one week prior to the meeting. The Secretary of the Board receives all such items.</i></p> <p style="text-align: center;"><u>A. CALL TO ORDER/PLEDGE OF ALLEGIANCE</u></p> <ol style="list-style-type: none"> 1. Roll Call. 2. Pledge of Allegiance. <p style="text-align: center;"><u>B. ANNOUNCEMENTS/PRESENTATIONS</u></p> <ol style="list-style-type: none"> 1. Overview of SB 135 (Community Services District Law – Rewrite) and AB1234 (Local Agency Compensation and Ethics) presented by Paula deSousa of Best Best & Krieger LLP. 2. Receive and acknowledge correspondence of appreciation (D. Hansen). <p style="text-align: center;"><u>C. COMMUNICATIONS FROM THE PUBLIC</u></p> <p>This is the time and place for the general public to address the Board of Directors. State law prohibits the Board from addressing any items not previously included on the Agenda. The Board of Directors may receive testimony and set the matter for a subsequent meeting. Comments are to be limited to three minutes per individual at the discretion of the President. Individuals representing a group or an organization shall be permitted five minutes. Comments relating to similar issues should be brief, concise and non-repetitious. Speakers should state their home or business address when commenting to the Board.</p> <p style="text-align: center;"><u>D. CONSENT CALENDAR</u></p> <p>The following Consent Calendar items are expected to be routine and non-controversial. They will be acted upon by the Board at one time without discussion. Any item may be removed by a Board Member or member of the audience for discussion.</p> <ol style="list-style-type: none"> 1. Approve the November 29, 2005 Special Board Meeting minutes. 2. Authorize the General Manager to execute a master cell tower agreement with Nextel for the installation of cellular telephone equipment beneath a PG&E transmission tower located on the corner of East Taron Drive and Nestling Circle. 3. Approve Resolution No. 2005-142 through 2005-153 accepting landscape corridors deeds and a trail easement for landscape maintenance and recreation. 4. Approve Resolution No. 2005-154, rejecting in whole the claim filed by Martha Herrera. 5. Approve the filing of a Notice of Completion for the work performed to renovate Fire Station #74. | <p>1-2</p> <p>3-7</p> <p>8-12</p> <p>13-73 74-75</p> <p>76</p> |

ELK GROVE COMMUNITY SERVICES DISTRICT
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E. ADVERTISED PUBLIC HEARINGS

The following item(s) have been advertised and/or posted as public hearings as required by law. The President will open the meeting to receive public testimony.

- I. None.

F. PUBLIC HEARINGS

The following item(s) have no legal publication or posting requirements. The President will open the meeting to receive public testimony.

- I. None

G. STAFF REPORTS

The following items do not legally require any public testimony, although the President may open the meeting for public input.

- I. Skate Park (K. Goesch).
2. Ordinance No. 9 – Additions and Revisions (K. Goesch).

77-88
89-105

H. BOARD OF DIRECTORS BUSINESS

This is the time and place for Board of Directors business.

- I. Election of Officers
2. Fire Committee - Verbal Report (Derr)
3. Parks and Recreation Committee - Verbal Report (Wright)
4. Budget/Finance/Insurance Committee - Verbal Report (McElroy)
5. Policies & Procedures Committee - Verbal Report (McElroy)
6. Strategic Planning Committee – Verbal Report (Albiani)
7. Fire Communications Board - Verbal Report (McElroy)
8. Senior Center Board - Verbal Report (Mulberg)
9. Local Agency Formation Commission (LAFCo) - Verbal Report (Mulberg)
10. Sacramento County Treasury Oversight Committee - Verbal Report (Ramos)
11. Miscellaneous Reports

ELK GROVE COMMUNITY SERVICES DISTRICT
REGULAR BOARD MEETING
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I. IDENTIFICATION OF ITEMS FOR FUTURE MEETING

This is the time for the Board of Directors to identify the items they wish to discuss at a future meeting. These items will not be discussed at this meeting, only identified for a future meeting. This is also the time for scheduling of Board Committee meetings.

J. ADJOURNMENT TO EXECUTIVE SESSION

If necessary, the Meeting will be adjourned to Executive Session to discuss personnel matters and/or property negotiations. At the conclusion of the Executive Session, the Meeting will reopen to regular session.

K. EXECUTIVE SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property: 136 0030 001 0000

136 0030 012 0000

136 0030 014 0000

136 0030 015 0000

Agency Negotiator: Deputy Chief Steve Foster and/or Paul Thompson

Negotiating Parties: Gary Perry

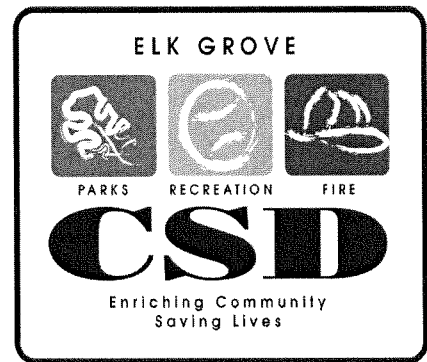
Under Negotiations: Price and/or terms of payment

L. REOPEN REGULAR MEETING

M. ADJOURNMENT

STAFF REPORT

DATE: December 6, 2005
TO: Board of Directors
FROM: Vicky Violet, Interim Asst. to the General Manager/Clerk
SUBJECT: CORRESPONDENCE OF APPRECIATION



RECOMMENDATION:

Receive and file correspondence of appreciation to the EGCSD.

BACKGROUND/ANALYSIS:

Recent correspondence of appreciation received are as follows:

Letter from sister of Darlene Bradford Brenner thanking EGCSD Fire Department paramedics for their expedience in helping when Darlene was having a seizure while in her mother's car.

Respectfully submitted,

Vicky Violet
Interim Assistant to the General Manager/Clerk

Attachments

Vicky Violet

From: Donna Hansen
Sent: Sunday, November 13, 2005 1:37 PM
To: Vicky Violet
Subject: FW: Emegrency services

For next Board agenda.

Donna

-----Original Message-----

From: k43987pguard@yahoo.com [mailto:k43987pguard@yahoo.com]
Sent: Sunday, November 13, 2005 9:51 AM
To: Keith Grueneberg
Cc: Donna Hansen
Subject: Emegrency services

Name: Kathy Bradford Polls

Message:

Thank you for your recient help when my sister Darlene Bradford Brenner was having a seizure in my moms car. The para medics were expeident in there job, handling a situiation beyond my contorl. I truly belive Elk Grove Fire Department has the highest qualified personel there is. Thank you for years of service to our community.

The Bradford, Polls family

ELK GROVE COMMUNITY SERVICES DISTRICT
SPECIAL BOARD MEETING
TUESDAY, NOVEMBER 29, 2005 – 6:30 p.m.
MINUTES

ATTENDANCE:

Directors present included Elliot Mulberg, Gil Albani, Gerald Derr, Doug McElroy and Elaine Wright.

General Manager Donna Hansen, Chief Operating Officer Jeff Ramos, Deputy Fire Chief Steve Foster, and Administrator of Parks and Recreation Sue Wise were also present.

A. CALL TO ORDER/PLEDGE OF ALLEGIANCE

1. President Mulberg called the meeting to order at 6:34 p.m.
2. Samantha Wallace led the Pledge of Allegiance.

B. ANNOUNCEMENTS/PRESENTATIONS

1. The Board received a presentation by Information Systems Manager Jack Haddon regarding the CSD new web site design. Jack thanked staff for their help in the development of the website by providing input and demonstrated the easier navigation of the site which was developed through customer's perspective. Staff will soon be able to update content on the website themselves without assistance from IT staff.
2. The Board received a presentation by Recreation Supervisor II Zach Jones regarding the success of the 2005 Elk Grove Community Harvest Festival. Zach recognized and thanked event sponsors, committee members and staff for their part in this year's event.
3. The Board received and acknowledged correspondence of appreciation presented by General Manager Donna Hansen.

C. GENERAL MANAGER/DEPARTMENT HEAD REPORTS

1. General Manager Donna Hansen reports staff has been diligently working on Skate Park issues and should bring a report to the Board in December. The next meeting will contain an overview of SBI 35 (Community Services District Law – Rewrite) and AB 1234 (Local Agency Compensation and Ethics). The next meeting may be at the Administration Building if renovation is complete and will put the information in the next board packet.

2. Chief Operating Officer Jeff Ramos reports the outside auditors completed their audit fieldwork on October 20. In the month of October, 1,568 invoices were processed, 684 checks cut, payroll was processed for 415 employees, one easement agreement was processed, the annual budget was completed and submitted to CSMFO for award, and the annual State Controller's Report was completed.
Human Resources: Interviews and hiring was conducted for 5 positions and recruitment/application review was conducted for 6 positions. Open enrollment ended October 15 with employee changes being processed and also processed retirement paperwork for two employees.
Facilities: Continued oversight of Station 72, as well as the remodel of the Board Room and Ehrhardt House. New doors were installed on the Fire Admin offices and the parking lot was paved. There were 49 work orders completed, and a total of 99 facility rentals during October. Gang and Narcotic Recognition Training was also conducted for District staff.
Technology: Data network and equipment was installed at Fire Station 72, anti-spam software was installed district-wide, telephone system training was provided for Admin and Fire Admin Staff, and the new website was presented this evening.
3. Recreation Supervisor II Samantha Wallace reports Pat Perez Park in Lakeside as completed, six parks in construction or documentation, and one park in project planning phase.
Parks Administration: Carolyn Baptista is new Administrative Specialist II in the Administration Division. Staff has developed a Cost Allocation Methodology for department programs and will be presenting it to the Board this evening.
Maintenance Division: During October, there were 231 maintenance work orders completed, 60 trees pruned, 38 trees planted, a memorial park bench was installed, and repairs and maintenance were done to several other parks.
Recreation Division: A number of teens attended the Halloween teen dance and a water polo tournament was held October 1. A Halloween craft workshops was very popular and instructor contracts are being finalized in preparation for the Winter/Spring Activity Guide.
Sports Section: The first Jr. WNBA season started and the first annual Harvest Softball Tournament was held during the 11th Annual Harvest Festival which was a huge success.
Youth Development: KCHQ attendance increased during October, staff had refresher training on department and program forms, and preschool classes took field trips to a local pumpkin patch.
4. Deputy Fire Chief Steve Foster reports staff continued to lend their support for hurricane victims in South Florida, and have initiated the process of self-assessment with our consultant. There were 782 calls for service in October.
Training: The Training Tower has had some electronic malfunctions that are being addressed. The building and many of its components are still under warranty. Regularly scheduled drills were conducted and the facility was also used for the Rescue 3 International Instructor Conference and The California Maritime Academy rented the facility two days in October.

Public Education/Public Relations: There were 15 child safety seats inspected and over 300 students and their teachers and parents toured Elk Grove CSD fire stations in observance of Fire Prevention Week in October. Several area schools were visited, and the Fire Department joined the Parks and Recreation Department at the Harvest Festival. Our annual "Check Your Clock-Change Your Battery" event was held and passed out over 2,000 smoke detector batteries to residents in older homes. On October 31, several off-duty fire department volunteers visited the UCD Medical Center children's ward for their Halloween celebration.

Fire Prevention: 13 tenant improvement plans were reviewed, 26 sprinkler plans were reviewed, 9 fire alarm systems, 4 civil engineering plans, 25 miscellaneous projects, 7 planning referrals, 2 subdivision plans, and 41 resubmitted plan checks were also reviewed.

Investigations: There were 9 fire investigations in October, 4 misdemeanor citations to juveniles issued, and 2 parking citations issued.

D. COMMUNICATIONS FROM THE PUBLIC

Dan Quiggle, Engineer with EGCSF Fire Department - was recently elected to the Executive Board of Local 522. Wanted to introduce himself to the Board and invited everyone to their holiday party.

Scott Crawford – here on short notice; found out that organized sports were not being allowed in Jack Hill Park; original plan included fields; they want space for tournaments.

E. CONSENT CALENDAR

1. The Board approved the October 29, 2005 District Goals Workshop minutes. Derr-Wright; unanimous
2. The Board approved the November 1, 2005 Regular Board Meeting minutes. Derr-Wright; unanimous
3. The Board ratified payment of the October, 2005 bills and payroll, and received and filed the Budget Status Reports for the month of October, 2005. Derr-Wright; unanimous
4. The Board adopted the Amendment to Policy No. 0011 – Board By-Laws. Derr-Wright; unanimous
5. The Board approved Resolution No. 2005-141 rejecting in whole the claim filed by Vera Bothelho. Derr-Wright; unanimous
6. The Board approved the lease agreement between EGCSF and Elk Grove Cal Ripken Baseball to operate the concession building (snack bar) at Rau Park. Derr-Wright; unanimous
7. The Board authorized staff to begin recruitment process for full-time Facility Coordinator II – Group Picnic Rental position. Derr-Wright; unanimous
8. The Board approved the employment contract for Steve A. Capps, Director of Communications and Marketing. Derr-Wright; unanimous
9. The Board declared surplus a 1994 Chevy Caprice sedan (Unit #22, License #363268). Derr-Wright; unanimous

F. ADVERTISED PUBLIC HEARINGS

None

G. PUBLIC HEARINGS

I. None.

H. STAFF REPORTS

1. The Board reviewed the Machado Dairy, East Meadows and Quail Ridge Park Master Plans presented by Fred Bremmerman and Paul Mewton. Fred reviewed the options for Machado Dairy Park, East Meadows Park and Quail Ridge Park. Staff recommendations are based on community input. Staff also requested approval for an RFP to update the Park Matrix, but the board directed staff to bring this item to them at a future meeting.

Ruth McGaughey – wants soccer field more than baseball field in Quail Ridge; wanted the park to be family oriented, not sports oriented

Gerue Oliverra – wants soccer field and informal grass area; wants Option 2 for Quail Ridge

Jenny Baker – wants large play area with open space; would like a stage in Machado Dairy Park for bands

Cheryl Gargugliano – wants Option 2 for Machado Dairy Park; likes open area and there will be more sports fields in Bartholomew Park.

Machado Dairy Park – Board approved Option 2 with additional shade structure located near the soccer field;

East Meadows Park – Board approved the plan;

Quail Ridge Park – Board approved Option 2.

Derr-Albani; unanimous

2. The Board received a report presented by Administrative Analyst Kelly Gonzalez regarding Cost Allocation Methodology for Recreation Programs, which balances service value with cost recovery, and requested board direction.

Dyric Ramirez – look more at flat taxes instead of recovery.

The Board directed staff to come back in January with revisions.

I. BOARD OF DIRECTORS BUSINESS

None.

J. COMMUNICATIONS FROM THE PUBLIC (Agendized items)

None.

K. IDENTIFICATION OF ITEMS FOR FUTURE MEETING

1. Director Wright asked that the RFP for an Update of the Park Matrix come to the Board for review - Wright
2. Director McElroy asked staff to work with speaker, Scott Crawford, regarding the Jack Hill Park issue
3. Director Mulberg asked staff to look into Brian Chew's (Chezimme Estates) concerns and bring forth to the Board

L. ADJOURNMENT TO EXECUTIVE SESSION

The Board adjourned to Executive Session at 9:53 p.m.

M. EXECUTIVE SESSION

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9 (a)

Elk Grove Community Services District vs. City of Elk Grove

Sacramento Superior Court Case No. 05A200612

N. REOPEN REGULAR MEETING

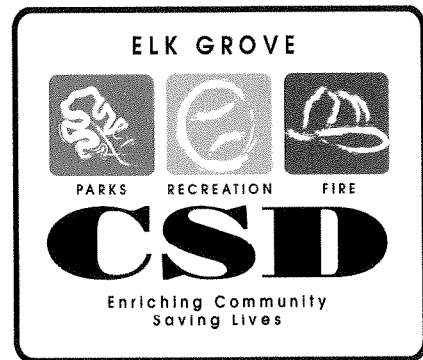
Meeting reopened at 11:20 p.m.

O. ADJOURNMENT –

With no further business, the meeting was adjourned at 11:20 p.m.

STAFF REPORT

DATE: December 6, 2005
TO: Board of Directors
FROM: Jeff Ramos, Chief Operating Officer
SUBJECT: **AGREEMENT WITH NEXTEL TO INSTALL
TELECOMMUNICATIONS EQUIPMENT**



RECOMMENDATION

That the Board of Directors authorize the General Manager to execute a master cell tower agreement with Nextel for the installation of cellular telephone equipment beneath a PG&E transmission tower located on the corner of East Taron Drive and Nestling Circle.

BACKGROUND/ANALYSIS

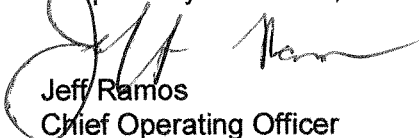
PG&E has a large transmission tower located in a Public Utility Easement on landscaped corridor on East Taron Drive just north of Nestling Circle. Nextel would like to mount a cellular antenna on the tower that would require the installation of some equipment on the ground below it (see attached proposal and diagram). They will also fence off the equipment under the tower to help screen the equipment from view. This type of use is occurring more frequently in order to minimize the impact of new structures in communities when existing structures may be jointly utilized.

Nextel has requested that the CSD enter into a lease agreement to allow the installation of the equipment on the ground for which they will pay \$500 per month and a one-time contribution of \$15,000 to the District to be used for park improvements at the District's discretion. Staff recommends that the \$15,000 be allocated towards Laguna Stonelake's share of Bartholomew Sports Park construction.

The Board approved a similar lease with MetroPCS in August for another transmission tower located on the same corridor.

All necessary fees and permits associated with the equipment installation will be the responsibility of Nextel.

Respectfully submitted,


Jeff Ramos
Chief Operating Officer

Attachment



November 17, 2005

Mr. Jeff Ramos
Director – Administrative Services
Elk Grove Community Services District
8820 Elk Grove Blvd.
Elk Grove, CA 95624

RE: Proposal to Lease Ground Space
Nextel of California, Inc.
PG&E Tower at East Taron Drive at Nestling Circle
Elk Grove, CA

Dear Mr. Ramos:

On behalf of Nextel, I am pleased to present to you and the District for your consideration, a proposal to lease ground space under an existing PG&E transmission tower located near the corner of East Taron Drive and Nestling Circle. I have enclosed a draft Lease Exhibit to give you a better perspective on how we intend to use the existing tower to secure antennas on top of a proposed 12' extension to the tower and the use of space under the tower for an equipment cabinet. As we have discussed, our identified tower is one tower to the south from the PG&E tower to be used by Metro PCS.

While it is my intention to use the existing Tower Lease Agreement used with Metro PCS, I cannot have it reviewed by Nextel legal and back to you prior to your next Board meeting on December 6th. In lieu of a lease agreement, please use this proposal for purposes of discussion and obtaining approval from the Board to proceed with an agreement with Nextel to include the following deal points:

Lease Area: Approximately 208 square feet (16' x 13') of fenced ground space under the existing PG&E transmission tower. The fence will be made of wood and be 8' tall so as to conceal the equipment under the tower. The equipment will consist of an approximate 13.5' x 7.5' by 8' tall equipment cabinet.

Effective Date/

Due Diligence Period: The term of Nextel's tenancy shall commence the first (1st) day of the month following the date this Agreement is executed or the first (1st) day of the month following the date Nextel is granted a building permit, whichever occurs last.

Lease Term: An initial term of 5 years with 4 – 5 year renewal options (25 years total).



Rent Amount: Rent of \$6,000.00 per year with a 15% annual rental adjustment each five (5) year term.

Additional Consideration: Nextel shall pay to the District, as additional consideration, a one-time payment of fifteen Thousand Dollars (\$15,000.00) due within fifteen (15) days of full execution of the Agreement.

Access: Nextel, Nextel's employees, agent and contractors shall have access to the Premises without notice to Landlord twenty-four (24) hours a day, seven (7) days a week, at no charge. Landlord grants to Tenant, and Tenant's agents, employees and contractors, a non-exclusive right and easement for pedestrian ingress and egress across the Land.

Utilities: Nextel will be responsible for all costs associated with bringing power and phone service to its Premises and ongoing usage.

Taxes: If personal property taxes are assessed, Nextel shall pay any portion of such taxes directly attributable to Nextel's Facilities. Landlord shall pay when due all real property taxes, assessments and deferred taxes on the Land.

Proposal: This Proposal shall not constitute an offer to create any rights in favor of Landlord or Nextel and shall not obligate or be binding upon Landlord or Nextel and has no force or effect unless and until Landlord and Nextel execute an Agreement.

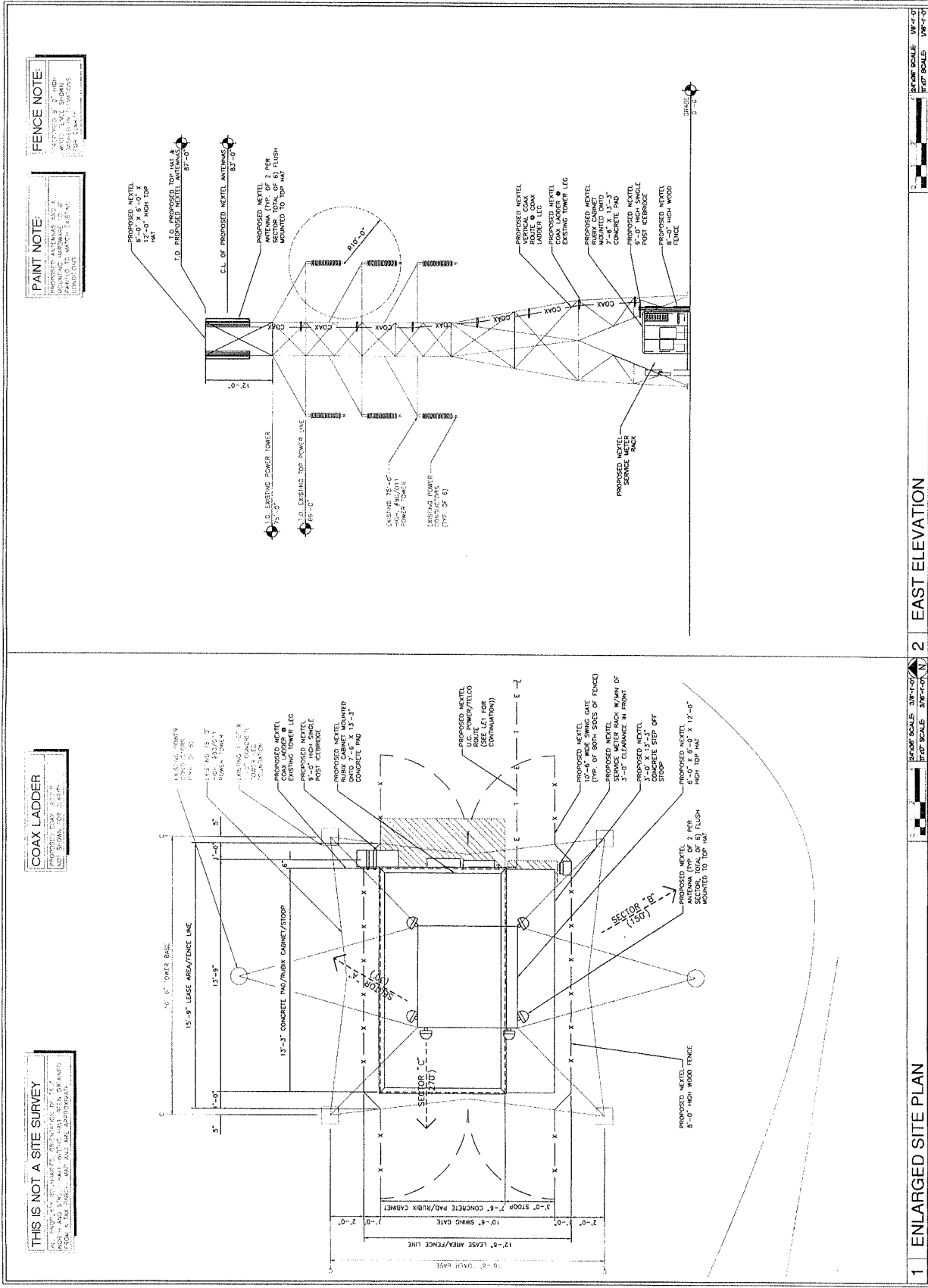
If you have any questions regarding this proposal or want to discuss the issues further, please do not hesitate to call me on my mobile phone at (619) 743-0309.

Thank you.

Sincerely,

Frank Schabarum
Site Acquisition Specialist
Strategic Real Estate Services

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|--|--|---|--|--|--|-------------------------------------|--|--|--|--|--|------------------------------------|--|------------|--|------------------|--|---|--|--|--|--------|--|
| NEXTEL OF CALIFORNIA, INC. 2180 HARVARD ST. SUITE #100 SACRAMENTO, CA 95815 PHONE: (925) 966-6798 FAX: (916) 588-5463 | | PROJECT INFORMATION: HOOD, FRANK CA1435 EAST TOLON DRIVE ELK GROVE, CA 95758 SACRAMENTO | | CURRENT ISSUE DATE: 11/15/2005 | | ISSUED FOR: LEASE EXHIBIT | | REV. DATE DESCRIPTION BY 11/15/2005 15:00 98 11/15/2005 1:05 98 11/15/2005 1:05 98 | | PLANS PREPARED BY: KDC KDC CONSULTANT ARCHITECT - ENGINEER P.C. 4700 SOUTH STREET SUITE 200 (10000) IN 95804 TEL: (916) 481-1000 FAX: (916) 481-1001 | | DRAWN BY: CHK CRW | | EJC | | LICENSURE | | SHEET TITLE: ENLARGED SITE PLAN & ELEVATION | | SHEET NUMBER: LE2 REVISION: 0 | | 180009 | |
|--|--|---|--|--|--|-------------------------------------|--|--|--|--|--|------------------------------------|--|------------|--|------------------|--|---|--|--|--|--------|--|



STAFF REPORT

DATE: December 6, 2005
TO: Board of Directors
FROM: Sue Wise, Administrator
Department of Parks and Recreation
BY: Fred Bremerman, Superintendent
Advance Planning and Operations



**SUBJECT: APPROVAL OF DEED RESOLUTIONS NO. 2005-142 THROUGH 2005-153
ACCEPTING LANDSCAPE CORRIDOR DEEDS AND A TRAIL EASEMENT FOR
LANDSCAPE MAINTENANCE AND RECREATION**

RECOMMENDATION

That the Board of Directors approves the attached resolutions accepting landscape corridors deeds and a trail easement for landscape maintenance and recreation.

BACKGROUND/ANALYSIS

Attached are deeds and resolutions for landscape corridors a trail easement. All of the parcels are identified in previously approved Board reports. Please refer to the attached maps for further information on parcel locations. According to specifications approved by EGCS, the projects being deeded to the District are ready to be accepted.

- 1) Resolution #2005-142 – East Meadow Unit 1B, Lot B, trail corridor located adjacent to Vilamoura Way. This corridor will connect Bartholomew Sports Park on the north with the East Meadows park site on the south. This area is .95 acres in size and valued at \$475 based on EGCS calculations of \$500 value per acre of corridor.
- 2) Resolution #2005-143 – Park Meadows North Unit 3B, Lot A, located on West Stockton Blvd. This corridor is .31 acres in size and valued at \$155 based on EGCS calculations of \$500 value per acre of corridor.
- 3) Resolution #2005-144– Lands of Stathos corridor, located on Bilby Road at Willard Parkway. This corridor is .34 acres in size and valued at \$170 based on EGCS calculations of \$500 value per acre of corridor.
- 4) Resolution #2005-145– Bilby Ranch Unit 1, Lot B, located on Matina Drive. This corridor is .12 acres in size and valued at \$60 based on EGCS calculations of \$500 value per acre of corridor.
- 5) Resolution #2005-146– Bilby Ranch Unit 1, Lot C, located on Matina Drive. This corridor is .17 acres in size and valued at \$85 based on EGCS calculations of \$500 value per acre of corridor.
- 6) Resolution #2005-147– Bilby Ranch Unit 1, Lot D, located on Matina Drive. This corridor is .15 acres in size and valued at \$75 based on EGCS calculations of \$500 value per acre of corridor.

ELK GROVE COMMUNITY SERVICES DISTRICT

Your Independent Local Government Agency Providing Parks, Recreation, Fire and Emergency Medical Services

- 7) Resolution #2005-148– Bilby Ranch Unit 1, Lot E, located on Matina Drive. This corridor is .17 acres in size and valued at \$85 based on EGCS D calculations of \$500 value per acre of corridor.
- 8) Resolution #2005-149– Bilby Ranch Unit 1, Lot G, located on Willard Parkway. This corridor is .49 acres in size and valued at \$245 based on EGCS D calculations of \$500 value per acre of corridor.
- 9) Resolution #2005-150– Bilby Ranch Unit 1, Lot H, located on Willard Parkway. This corridor is .36 acres in size and valued at \$180 based on EGCS D calculations of \$500 value per acre of corridor.
- 10) Resolution #2005-151– Bilby Ranch Unit 1, Lot K, located on Bilby Road. This corridor is .02 acres in size and valued at \$10 based on EGCS D calculations of \$500 value per acre of corridor.
- 11) Resolution #2005-152– Laguna Big Horn, Lot X, located on Big Horn Boulevard. This trail corridor is .19 acres in size and valued at \$95 based on EGCS D calculations of \$500 value per acre of corridor.
- 12) Resolution #2005-153 – Bilby Meadows Unit 1, Lot 199. This is a landscape and pedestrian easement for the trail corridor directly east of the future Bilby Meadows park site in the East Franklin area.

Should you have any questions, please contact me prior to the Board meeting.

Respectfully Submitted,



Sue Wise, Administrator
Department of Parks and Recreation

ELK GROVE COMMUNITY SERVICES DISTRICT

RESOLUTION NO. 2005-142

RESOLUTION ACCEPTING DEED BY THE ELK GROVE COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS TO REAL PROPERTY

East Meadow Unit 1B, Lot B APN 132-1560-094 (Trail Corridor)

WHEREAS, the Elk Grove Community Services District, a political subdivision of the State of California, heretofore received from **Cambridge (East Meadows) LP, a California Limited Partnership**, the real property described in the attached Deed and made a part hereof by reference for all purposes, and

WHEREAS, **Cambridge (East Meadows) LP, a California Limited Partnership**, has made, executed, acknowledged and delivered to said Elk Grove Community Services District, a Grant Deed dated the 9th day of March, 2005, conveying the real property described in the Deed, to said Elk Grove Community Services District;

NOW THEREFORE BE IT RESOLVED that the Board accepts the Grant Deed attached hereto and directs the same to be forwarded to the Recorder of Sacramento County, California for recording.

PASSED AND ADOPTED by the Board of Directors of the Elk Grove Community Services District, this 6th day of December, 2005, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Elk Grove Community Services District

Elliot Mulberg, President

ATTEST:

Donna L. Hansen, Secretary

RECORDING REQUESTED BY
Reynen & Bardis Development
9848 Business Park Drive, Suite H
Sacramento, CA 95827

AND WHEN RECORDED MAIL THIS DEED
AND, UNLESS OTHERWISE SHOWN
BELOW, MAIL TAX STATEMENTS TO:

Elk Grove Community Services District
Department of Parks and Recreation
8820 Elk Grove Blvd., Suite 3
Elk Grove, CA 95624

Lot B 1560-094
APN: PARTIAL OF 132-~~558-023-0000~~
Corridor

SPACE ABOVE THIS LINE FOR RECORDER'S USE

The undersigned Grantor declares:

City Transfer Tax: \$

Documentary Transfer Tax: \$

☐ COMPUTED ON FULL VALUE OF PROPERTY
CONVEYED

☐ OR COMPUTED ON FULL VALUE LESS LIENS
AND ENCUMBRANCES REMAINING AT TIME
OF SALE

THE UNDERSIGNED HEREBY DECLARES

Signature of Declarant of Agent determining tax. Firm Name

GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Cambridge (East Meadows), L.P., a California Limited Partnership

Hereby GRANT(S) to Elk Grove Community Services District

the following described real property in the City of Elk Grove, County of Sacramento, State of California:

Lot B as shown on the subdivision map of East Meadow Unit 1B recorded the 6th day of December 2004, in Book 337 of Maps, at Page 6, Official Records of Sacramento County.

Dated this 9TH day of March, 2005.

CAMBRIDGE (EAST MEADOWS) L.P.
a California Limited Partnership

By: CAMBRIDGE COMMUNITIES, LLC
a California Limited Liability Company,
Its General Partner

By: 

CHRISTOPHER STEVENS, PRINCIPAL
Print Name and Title

(pub.eas 3/24/95)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA)

COUNTY OF SACRAMENTO)

On MARCH 9, 2005 before me, LINDA HEFFELFINGER, Notary Public
date name of notary officer

personally appeared CHRISTOPHER STEVENS
name(s) of signers

☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Linda Heffelfinger
Signature of Notary



OPTIONAL SECTION

CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

- ☐ INDIVIDUAL
☐ CORPORATE OFFICER(S)

Title(s)

- ☐ PARTNER(S) ☐ LIMITED
☐ GENERAL

- ☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER: _____

SIGNER IS REPRESENTING:
Name of Person(s) or entity(ies)

OPTIONAL SECTION:

DATA REQUESTED HERE IS
NOT REQUIRED BY LAW.

TITLE OR TYPE OF DOCUMENT: _____

NUMBER OF PAGES _____ DATE _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

JAN 24 2005

132-156

POR. SEC. 10, T.6N., R.5E., M.D.B.& M.

5



ELK GROVE COMMUNITY SERVICES DISTRICT

RESOLUTION NO. 2005-143

RESOLUTION ACCEPTING DEED BY THE
ELK GROVE COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS TO REAL PROPERTY

Park Meadows North Unit 3B, Lot A
APN 116-1440-049 (Corridor)

WHEREAS, the Elk Grove Community Services District, a political subdivision of the State of California, heretofore received from **Tim Lewis Construction Inc., a California Corporation**, the real property described in the attached Deed and made a part hereof by reference for all purposes, and

WHEREAS, **Tim Lewis Construction Inc., a California Corporation**, has made, executed, acknowledged and delivered to said Elk Grove Community Services District, a Grant Deed dated the 25th day of October, 2005, conveying the real property described in the Deed, to said Elk Grove Community Services District;

NOW THEREFORE BE IT RESOLVED that the Board accepts the Grant Deed attached hereto and directs the same to be forwarded to the Recorder of Sacramento County, California for recording.

PASSED AND ADOPTED by the Board of Directors of the Elk Grove Community Services District, this 6th day of December, 2005, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Elk Grove Community Services District

Elliot Mulberg, President

ATTEST:

Donna L. Hansen, Secretary

WHEN RECORDED RETURN TO:

ELK GROVE COMMUNITY SERVICES DISTRICT
8820 Elk Grove Blvd Suite 3
Elk Grove, Ca 95758
NO FEE DOCUMENT

Okay to Accept/Date:

APN: 116-1440-049

Project: Park Meadows North Unit No. 3A

Subdivision No. 95-0401.3

Lot(s) A

(Landscape Purposes)

GRANT DEED
(Landscape Purposes)

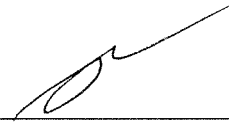
Tim Lewis Construction Inc., a California Corporation

does hereby grant to the **ELK GROVE COMMUNITY SERVICES DISTRICT**, a political subdivision of the State of California, all that real property in the City of Elk Grove, County of Sacramento, State of California, bounded and described as follows, to-wit:

Lot A as shown on the "Final Map of Park Meadows North Unit No. 3A Subdivision No. 95-401.3" recorded in Book 310 of Maps at Page 7, records of Sacramento County.

Dated this 25 day of October, 2005.

**Tim Lewis Construction., Inc.,
A California Corporation**

By 
Tim Lewis

Name/Title President

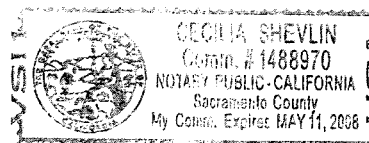
GENERAL ACKNOWLEDGEMENT

STATE OF CALIFORNIA)
COUNTY OF Sacramento) ss

On October 25, 2005, before me, the undersigned Notary Public, in and for said State and County, personally appeared Jay Timothy Lewis personally known to me (or proved to me on the basis of satisfactory evidence) to be the person~~s~~ whose name~~s~~ is are subscribed to the within instrument and acknowledged to me that he she/they executed the same in his her/their authorized capacity~~(ies)~~, and that by his her/their signature~~s~~ on the instrument the person~~s~~, or the entity upon behalf of which the person~~s~~ acted, executed the instrument.

WITNESS my hand and official seal.

Cecilia Shevlin Notary Public

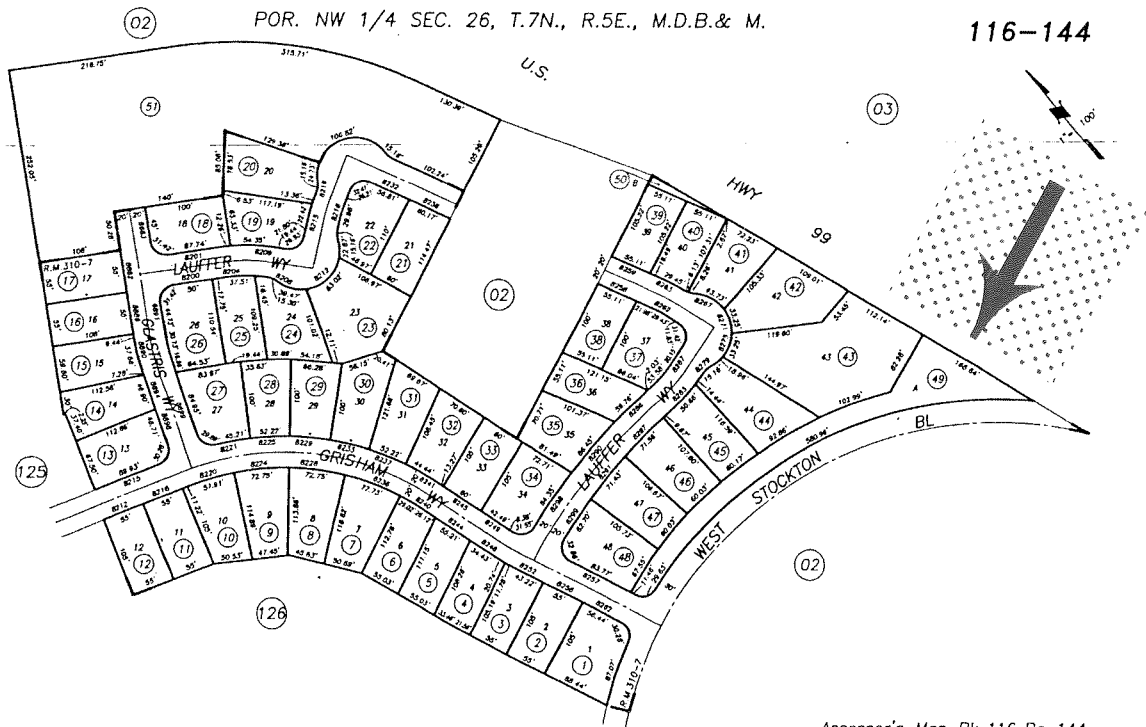


MetroScan / Sacramento (CA)

| | | | |
|---------|--|-----------|---------------------|
| Owner | : Tim Lewis Construction | Parcel | : 116 1440 049 0000 |
| CoOwner | : | Land | : |
| Site | : Grisham Way Elk Grove 95758 | Struct | : |
| Mail | : 5750 Sunrise Blvd #225 Citrus Heights Ca 95610 | Other | : |
| Xfered | : 08/30/2002 Doc # : 1983 | Total | : |
| Price | : \$2,565,000 Full Deed : Grant Deed | Exempt | : |
| LoanAmt | : | Type | : |
| VestTyp | : | % Imprv | : |
| Lender | : | % Owned | : |
| LandUse | : MPARKE Misc,Park,Greenbelt,Etc | TaxArea | : 07018 |
| Zoning | : Z 00 * Unknown Zoning Code * | 04-05 Tax | : |
| Legal | : PARK MEADOWS NORTH 03A LOT A | OwnerPh | : |
| Census | : Tract : Block : | MapGrid | : 358 D3 |

| | | | | | | | |
|-----------|---|-----------|---|----------|---|------------|---|
| Bedrms | : | Garage Sp | : | Stories | : | Condition | : |
| Bathrms | : | Patio | : | Acres | : | Appliances | : |
| Dining | : | Pool | : | LotSqFt | : | Year Built | : |
| Family | : | Spa/HiTub | : | Bldg SF | : | Foundation | : |
| Utility | : | Fireplace | : | GarSqFt | : | Solar Heat | : |
| TotalRm | : | CntlHl/AC | : | Bsmt SF | : | | |
| Units | : | 1stFlr SF | : | 2ndFlrSF | : | | |
| Roof Type | : | | | | | | |

&



Park Meadows North Unit 3A R.M. Bk. 310, Pg. 7 (02-06-2003)

Assessor's Map Bk. 116 Pg. 144
County of Sacramento, Calif.

MAR 21 2003

ELK GROVE COMMUNITY SERVICES DISTRICT

RESOLUTION NO. 2005-144

RESOLUTION ACCEPTING DEED BY THE ELK GROVE COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS TO REAL PROPERTY

Lands of Stathos APN 132-0132-005 (Corridor)

WHEREAS, the Elk Grove Community Services District, a political subdivision of the State of California, heretofore received from **Woodside Bilby Ranch, Inc., a Delaware Corporation**, the real property described in the attached Deed and made a part hereof by reference for all purposes, and

WHEREAS, **Woodside Bilby Ranch, Inc., a Delaware Corporation**, has made, executed, acknowledged and delivered to said Elk Grove Community Services District, a Grant Deed dated the 3rd day of August, 2005, conveying the real property described in the Deed, to said Elk Grove Community Services District;

NOW THEREFORE BE IT RESOLVED that the Board accepts the Grant Deed attached hereto and directs the same to be forwarded to the Recorder of Sacramento County, California for recording.

PASSED AND ADOPTED by the Board of Directors of the Elk Grove Community Services District, this 6th day of December, 2005, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Elk Grove Community Services District

Elliot Mulberg, President

ATTEST:

Donna L. Hansen, Secretary

WHEN RECORDED RETURN TO:

ELK GROVE COMMUNITY SERVICES DISTRICT
8820 Elk Grove Blvd Suite 3
Elk Grove, Ca 95758
NO FEE DOCUMENT

Okay to Accept/Date:
APN: portion of 132-0132-005
Project: Bilby Ranch Unit 1
Subdivision No. 02-285.1

(Landscape Purposes)

GRANT DEED
(Landscape Purposes)

WOODSIDE BILBY RANCH, INC., A DELAWARE CORPORATION

does hereby grant to the **ELK GROVE COMMUNITY SERVICES DISTRICT**, a political subdivision of the State of California, all that real property in the City of Elk Grove, County of Sacramento, State of California, bounded and described as follows, to-wit:

SEE ATTACHED 'EXHIBIT A' AND 'EXHIBIT B-1, B-2 AND B-3 ', property description, attached hereto and made a part hereof.

Dated this 3rd day of AUGUST, 2005.

WOODSIDE BILBY RANCH, INC.,
A DELAWARE CORPORATION

By Randy Fein

Name/Title RANDY FEIN / SECRETARY

GENERAL ACKNOWLEDGEMENT

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ^{SS}

On August 3, 2005, before me, the undersigned Notary Public, in and for said State and County, personally appeared RANDY FEIN personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Bron Leatham Notary Public

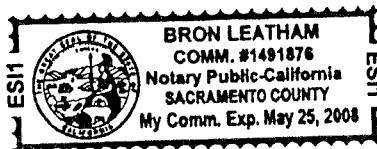


EXHIBIT A
DESCRIPTION OF
BOUNDARY LINE ADJUSTMENT
TRANSFER PARCEL "A"

All that certain real property situate in a portion of the Northeast One-Quarter of Section 17, Township 6 North, Range 5 East, Mount Diablo Meridian, County of Sacramento, State of California, and being further described as a portion of the Lands of Stathos as described in Book 20021213 at Page 1546, Official Records of Sacramento County, and in Book 20021213 at Page 1547, Official Records of Sacramento County and being further described as the following:

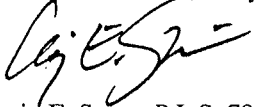
BEGINNING at a point situate on the North Line of the Northeast One-Quarter of said Section 17, from which a found nail and shiner accepted as the Northeast corner of said Section 17 as shown on that certain Final Map entitled "BILBY RANCH UNIT 1" filed for record in Book 331 of Maps at Page 5, Sacramento County Records bears North 88°38'55" East a distance of 99.18 feet; thence from said **POINT OF BEGINNING**, leaving said North line of the Northeast One-Quarter of said Section 17, from a radial line which bears North 13°06'13" West, 59.33 feet along the arc of a non-tangent 650.00 foot radius curve to the left through a central angle of 05°13'48" to a point of compound curvature; thence 158.71 feet along the arc of a tangent 1036.00 foot radius curve to the left through a central angle of 08°46'38"; thence South 62°53'22" West a distance of 46.37 feet; thence North 27°06'38" West a distance of 6.00 feet to a point of curvature; thence from a radial line which bears South 27°06'38" East, 39.27 feet along the arc of a non-tangent 25.00 foot radius curve to the right through a central angle of 90°00'00"; thence South 62°53'22" West a distance of 6.00 feet; thence North 27°06'38" West a distance of 86.83 feet to a point on the North line of the Northeast One-Quarter of said Section 17; thence along said North Line of the Northeast One-Quarter of Section 17, North 88°38'55" East a distance of 325.99 feet to the Point of Beginning.

Transfer Parcel "A" contains 0.343 acres of land, more or less.

The Basis of Bearings for this description is California State Plane coordinate System, Zone 2, NAD'83, Epoch Date 1997.30, as measured between NGS Station "Eschinger," 1st order, and NGS Station "Keller," 1st order. Said bearing is North 20°56'36" West. Distances shown are ground based.

See Exhibits "B-1", "B-2" and "B-3", plats to accompany description, attached hereto and made a part hereof.

This legal description was prepared by me or under my supervision pursuant to section 8729 (2) of the Professional Land Surveyors Act.


Craig E. Spiess P.L.S. 7944
Expires December 31, 2005

Date: 3/1/05

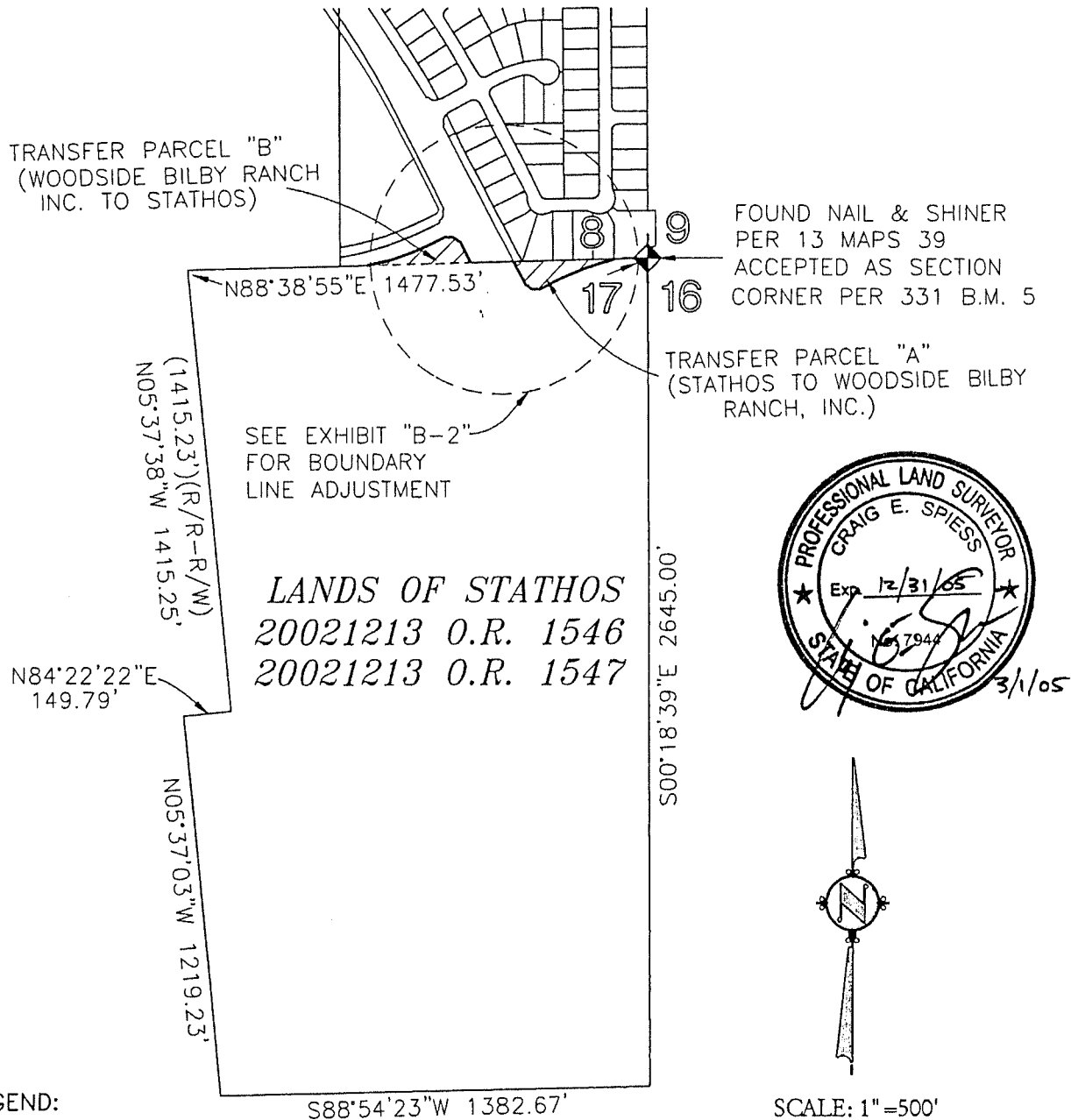


PREPARED BY WOOD RODGERS, INC.
SACRAMENTO, CALIFORNIA

EXHIBIT B-1

PLAT TO ACCOMPANY
DESCRIPTION
SEE DESCRIPTION FOR
COURSE INFORMATION

LANDS OF WOODSIDE BILBY RANCH, INC. / LANDS OF STATHOS BOUNDARY LINE ADJUSTMENT CITY OF ELK GROVE/COUNTY OF SACRAMENTO STATE OF CALIFORNIA



LEGEND:

- R/R R/W RAILROAD RIGHT-OF-WAY
- P.O.B. POINT OF BEGINNING
- O DIMENSION POINT
- EXISTING LOT LINE
- NEW LOT LINE
- LOT LINE TO BE REMOVED
- 50.27' EXISTING DIMENSION
- 50.18' ADJUSTED DIMENSION

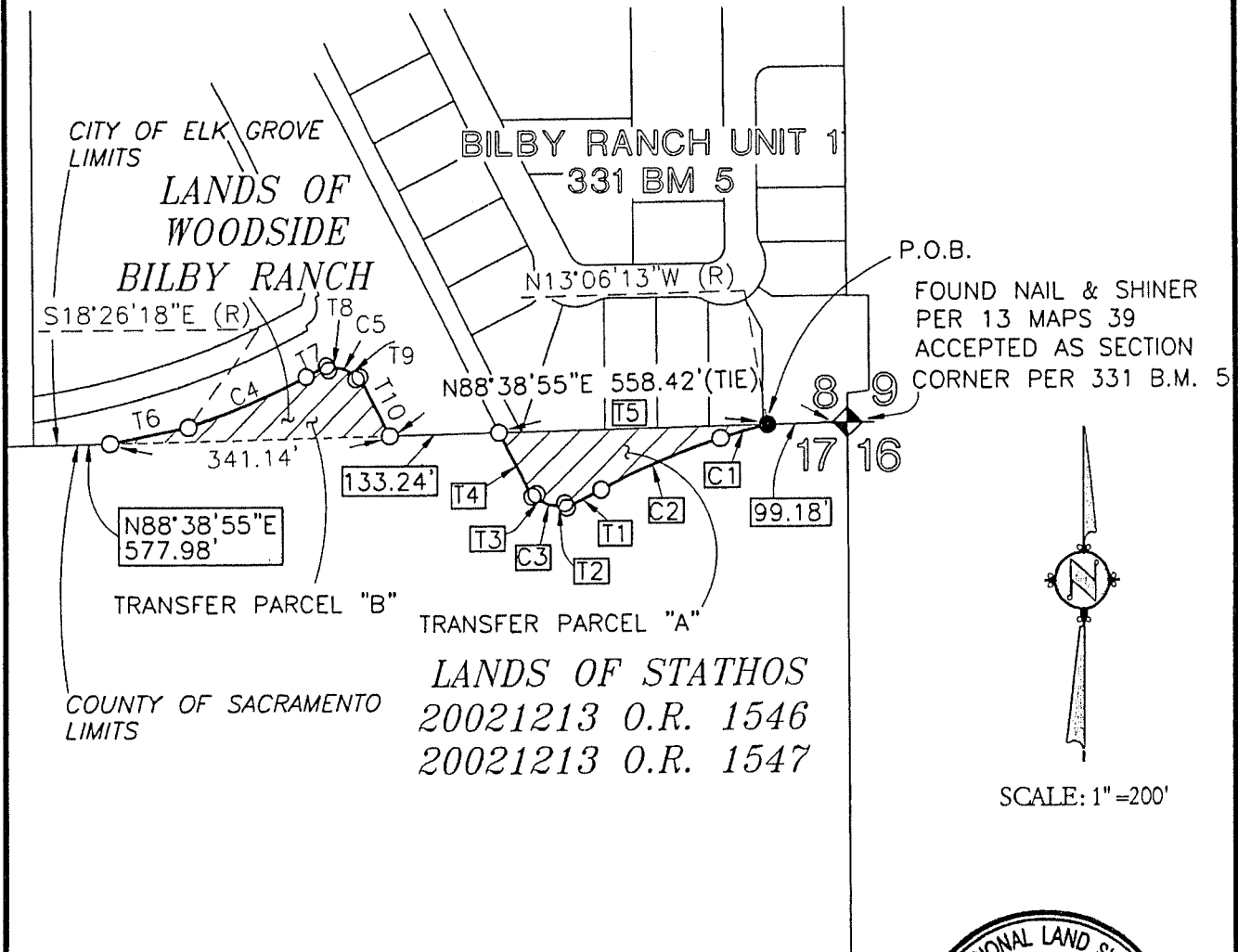
WOOD RODGERS
ENGINEERING • MAPPING • PLANNING • SURVEYING

3301 C St., Bldg. 100-B Tel 916.341.7760
Sacramento, CA 95816 Fax 916.341.7767

EXHIBIT B-2

PLAT TO ACCOMPANY
DESCRIPTION
SEE DESCRIPTION FOR
COURSE INFORMATION

LANDS OF WOODSIDE BILBY RANCH, INC. /
LANDS OF STATHOS
BOUNDARY LINE ADJUSTMENT
CITY OF ELK GROVE/COUNTY OF SACRAMENTO
STATE OF CALIFORNIA



LEGEND:

R/R R/W RAILROAD RIGHT-OF-WAY
P.O.B. POINT OF BEGINNING
○ DIMENSION POINT
— EXISTING LOT LINE
— NEW LOT LINE
- - - - - LOT LINE TO BE REMOVED
50.27' EXISTING DIMENSION
50.18' ADJUSTED DIMENSION



WOOD RODGERS
ENGINEERING • MAPPING • PLANNING • SURVEYING

3301 C St., Bldg. 100-B Tel 916.341.7760
Sacramento, CA 95816 Fax 916.341.7767

EXHIBIT B-3

PLAT TO ACCOMPANY
DESCRIPTION

LANDS OF WOODSIDE BILBY RANCH, INC. /
LANDS OF STATHOS
BOUNDARY LINE ADJUSTMENT
CITY OF ELK GROVE/COUNTY OF SACRAMENTO
STATE OF CALIFORNIA



LINE TABLE

| LINE | BEARING | DISTANCE |
|------|-------------|----------|
| T1 | S62°53'22"W | 46.37' |
| T2 | N27°06'38"W | 6.00' |
| T3 | S62°53'22"W | 6.00' |
| T4 | N27°06'38"W | 86.83' |
| T5 | N88°38'55"E | 325.99' |
| T6 | N78°15'07"E | 96.28' |
| T7 | N62°53'22"E | 28.39' |
| T8 | S27°06'38"E | 6.00' |
| T9 | N62°53'22"E | 6.00' |
| T10 | S27°06'38"E | 80.00' |

CURVE TABLE

| CURVE | RADIUS | DELTA | LENGTH |
|-------|--------|-----------|---------|
| C1 | 650' | 05°13'48" | 59.33' |
| C2 | 1036' | 08°46'38" | 158.71' |
| C3 | 25' | 90°00'00" | 39.27' |
| C4 | 1028' | 08°40'21" | 155.60' |
| C5 | 25' | 90°00'00" | 39.27' |

SUMMARY OF AREAS

| LOT # | EXISTING | TRANSFER | TRANSFER | RESULTANT |
|-------------|------------|------------|------------|------------|
| BILBY RANCH | 0.315 AC± | +0.343 AC± | -0.315 AC± | 0.343 AC± |
| STATHOS | 86.379 AC± | +0.315 AC± | -0.343 AC± | 86.351 AC± |
| TOTAL | 86.694 AC± | | | 86.694 AC± |

SEE DESCRIPTION FOR
COURSE INFORMATION



WOOD RODGERS
ENGINEERING • MAPPING • PLANNING • SURVEYING

3301 C St., Bldg. 100-B Tel 916.341.7760
Sacramento, CA 95816 Fax 916.341.7767

ELK GROVE COMMUNITY SERVICES DISTRICT

RESOLUTION NO. 2005-145

RESOLUTION ACCEPTING DEED BY THE ELK GROVE COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS TO REAL PROPERTY

Bilby Ranch Unit 1, Lot B APN 132-1700-053 (Corridor)

WHEREAS, the Elk Grove Community Services District, a political subdivision of the State of California, heretofore received from **Woodside Bilby Ranch, Inc., a Delaware Corporation**, the real property described in the attached Deed and made a part hereof by reference for all purposes, and

WHEREAS, **Woodside Bilby Ranch, Inc., a Delaware Corporation**, has made, executed, acknowledged and delivered to said Elk Grove Community Services District, a Grant Deed dated the 22nd day of September, 2005, conveying the real property described in the Deed, to said Elk Grove Community Services District;

NOW THEREFORE BE IT RESOLVED that the Board accepts the Grant Deed attached hereto and directs the same to be forwarded to the Recorder of Sacramento County, California for recording.

PASSED AND ADOPTED by the Board of Directors of the Elk Grove Community Services District, this 6th day of December, 2005, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Elk Grove Community Services District

Elliot Mulberg, President

ATTEST:

Donna L. Hansen, Secretary

WHEN RECORDED RETURN TO:

ELK GROVE COMMUNITY SERVICES DISTRICT
8820 Elk Grove Blvd Suite 3
Elk Grove, Ca 95758
NO FEE DOCUMENT

Okay to Accept/Date:

APN: 132-1700-053,

Project: Bilby Ranch Unit 1

Subdivision No. 02-285.1

Lot(s) B

(Landscape Purposes)

GRANT DEED
(Landscape Purposes)

WOODSIDE BILBY RANCH, INC., A DELAWARE CORPORATION

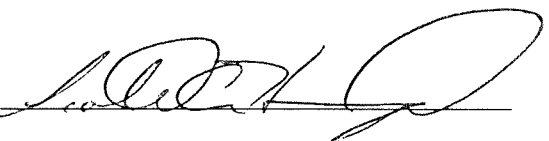
does hereby grant to the **ELK GROVE COMMUNITY SERVICES DISTRICT**, a political subdivision of the State of California, all that real property in the City of Elk Grove, County of Sacramento, State of California, bounded and described as follows, to-wit:

SEE ATTACHED 'EXHIBIT A', property description, attached hereto and made a part hereof.

Dated this 22 day of SEPTEMBER, 2005.

WOODSIDE BILBY RANCH, INC.,
A DELAWARE CORPORATION

By



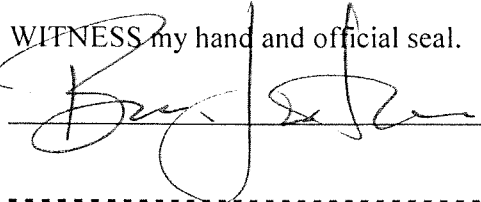
Name/Title

SCOTT A. HOISINGTON, PRES

GENERAL ACKNOWLEDGEMENT

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss

On SEPT, 22, before me, the undersigned Notary Public, in and for said State and County, personally appeared SCOTT A. HAZINGTON personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.
 Notary Public

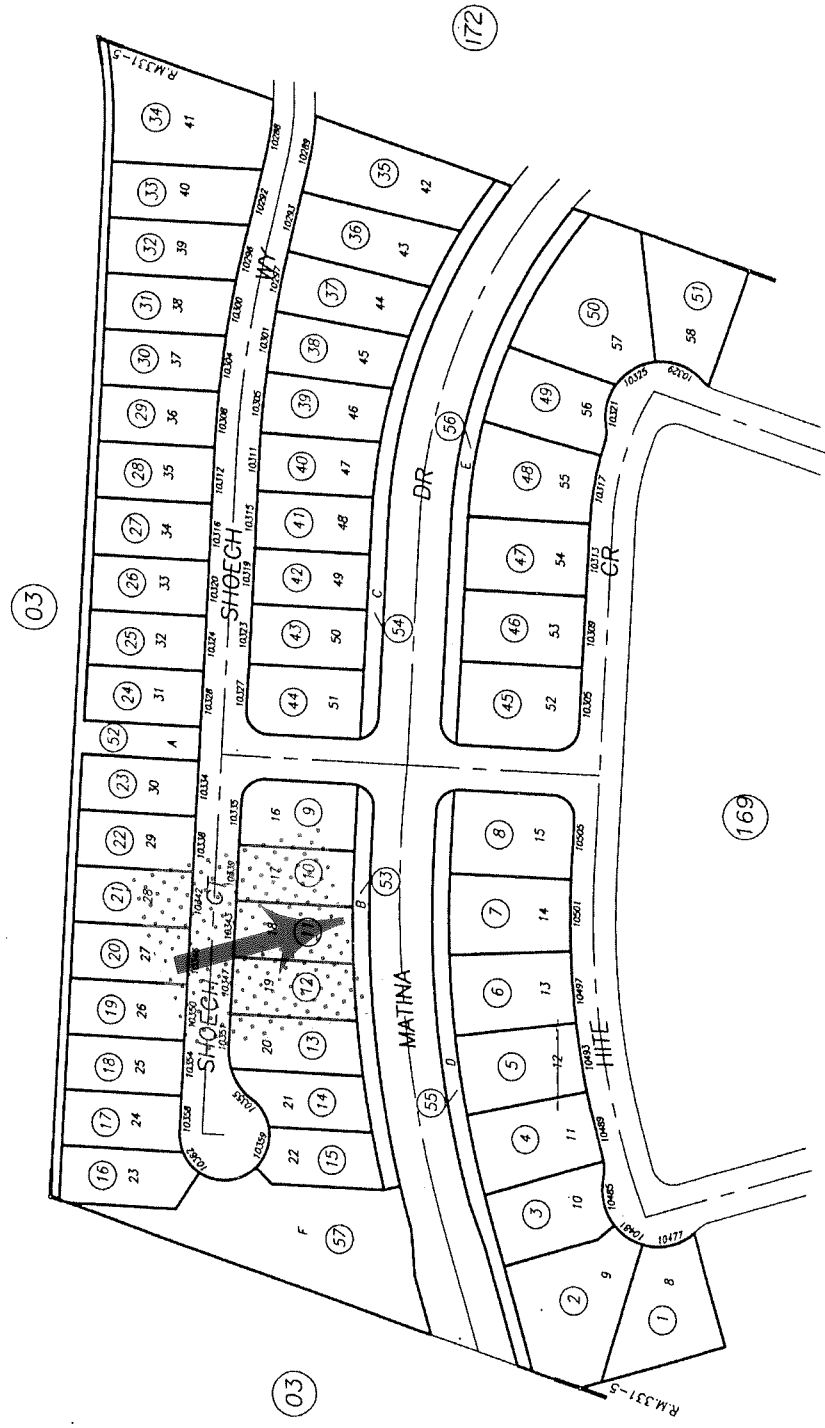


‘EXHIBIT A’

Lot B, as shown on “Subdivision No. 02-285.1 – Bilby Ranch Unit 1” recorded on June 24, 2004, in Book 331 of Maps, map no. 5.

132-170

POR. SEC. 8, T.6N., R.5E., M.D.B. & M.



OCT 2 2 2004
CITY OF ELK GROVE
Assessor's Map Bk. 132 Pg. 170
County of Sacramento, Calif.

Por. Bilby Ranch Unit 1, R.M. Bk. 331 Pg. 5 (6-24-2004)

ELK GROVE COMMUNITY SERVICES DISTRICT

RESOLUTION NO. 2005-146

RESOLUTION ACCEPTING DEED BY THE ELK GROVE COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS TO REAL PROPERTY

Bilby Ranch Unit 1, Lot C
APN 132-1700-054 (Corridor)

WHEREAS, the Elk Grove Community Services District, a political subdivision of the State of California, heretofore received from **Woodside Bilby Ranch, Inc., a Delaware Corporation**, the real property described in the attached Deed and made a part hereof by reference for all purposes, and

WHEREAS, **Woodside Bilby Ranch, Inc., a Delaware Corporation**, has made, executed, acknowledged and delivered to said Elk Grove Community Services District, a Grant Deed dated the 22nd day of September, 2005, conveying the real property described in the Deed, to said Elk Grove Community Services District;

NOW THEREFORE BE IT RESOLVED that the Board accepts the Grant Deed attached hereto and directs the same to be forwarded to the Recorder of Sacramento County, California for recording.

PASSED AND ADOPTED by the Board of Directors of the Elk Grove Community Services District, this 6th day of December, 2005, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Elk Grove Community Services District

Elliot Mulberg, President

ATTEST:

Donna L. Hansen, Secretary

WHEN RECORDED RETURN TO:

ELK GROVE COMMUNITY SERVICES DISTRICT
8820 Elk Grove Blvd Suite 3
Elk Grove, Ca 95758
NO FEE DOCUMENT

Okay to Accept/Date:

APN: 132-1700-054,

Project: Bilby Ranch Unit 1

Subdivision No. 02-285.1

Lot(s) C

(Landscape Purposes)

GRANT DEED
(Landscape Purposes)

WOODSIDE BILBY RANCH, INC., A DELAWARE CORPORATION

does hereby grant to the **ELK GROVE COMMUNITY SERVICES DISTRICT**, a political subdivision of the State of California, all that real property in the City of Elk Grove, County of Sacramento, State of California, bounded and described as follows, to-wit:

SEE ATTACHED 'EXHIBIT A', property description, attached hereto and made a part hereof.

Dated this 22 day of SEPTEMBER, 2005.

WOODSIDE BILBY RANCH, INC.,
A DELAWARE CORPORATION

By 

Name/Title Scott A. Houghton Pres.

GENERAL ACKNOWLEDGEMENT

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss

On SEPT, 22, before me, the undersigned Notary Public, in and for said State and County, personally appeared SCOTT A. HOISINGTON personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Bron Leatham Notary Public

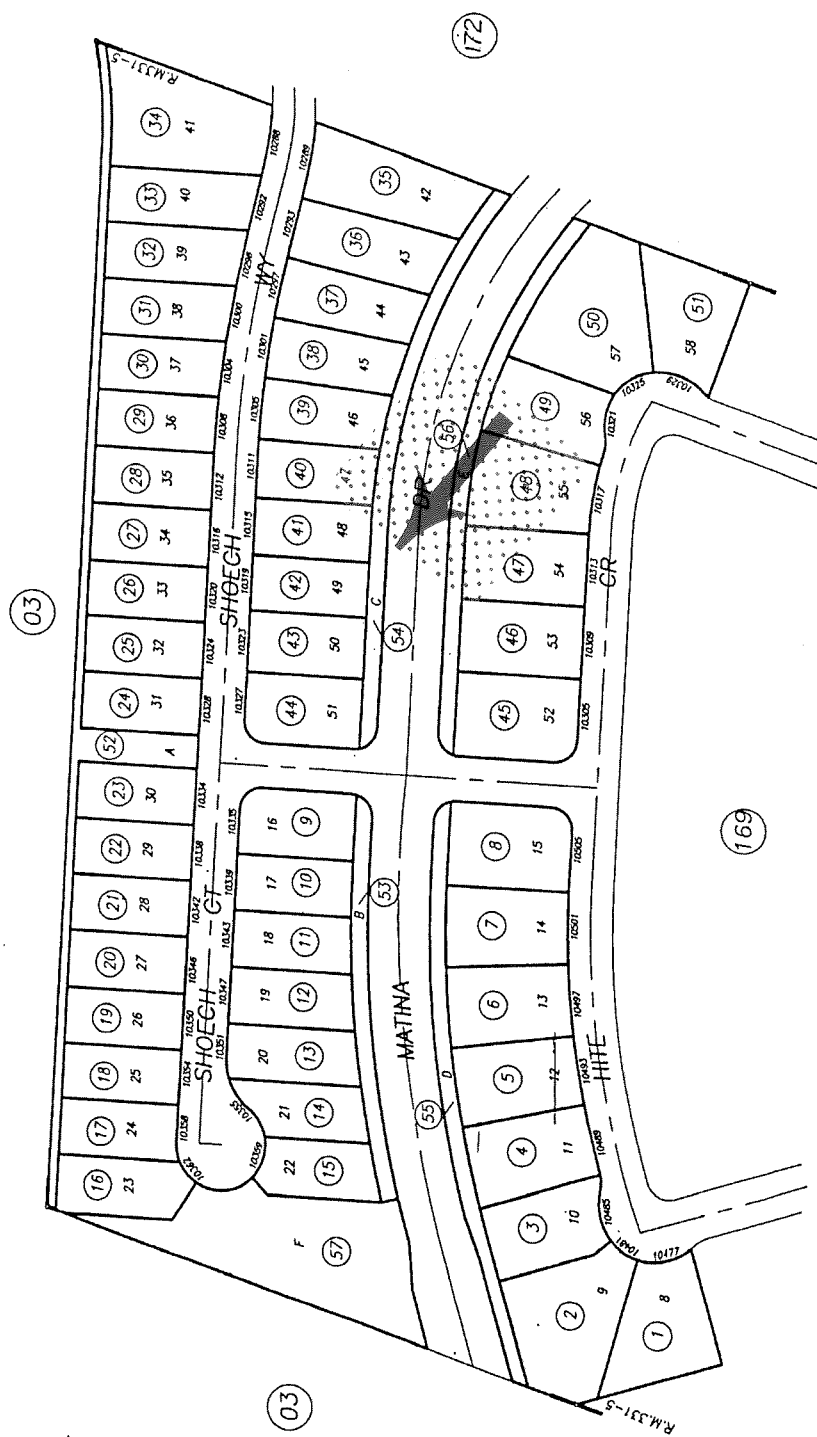


‘EXHIBIT A’

Lot C, as shown on “Subdivision No. 02-285.1 – Bilby Ranch Unit 1”
recorded on June 24, 2004, in Book 331 of Maps, map no. 5.

132-170

POR. SEC. 8, T.6N., R.5E., M.D.B. & M.



Por. Bilby Ranch Unit 1, R.M. Bk. 331 Pg. 5 (6-24-2004)

CITY OF ELK GROVE
Assessor's Map Bk. 132 Pg. 170
County of Sacramento, Calif.
OCT 22 2004

ELK GROVE COMMUNITY SERVICES DISTRICT

RESOLUTION NO. 2005-147

RESOLUTION ACCEPTING DEED BY THE ELK GROVE COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS TO REAL PROPERTY

Bilby Ranch Unit 1, Lot D APN 132-1700-055 (Corridor)

WHEREAS, the Elk Grove Community Services District, a political subdivision of the State of California, heretofore received from **Woodside Bilby Ranch, Inc., a Delaware Corporation**, the real property described in the attached Deed and made a part hereof by reference for all purposes, and

WHEREAS, **Woodside Bilby Ranch, Inc., a Delaware Corporation**, has made, executed, acknowledged and delivered to said Elk Grove Community Services District, a Grant Deed dated the 22nd day of September, 2005, conveying the real property described in the Deed, to said Elk Grove Community Services District;

NOW THEREFORE BE IT RESOLVED that the Board accepts the Grant Deed attached hereto and directs the same to be forwarded to the Recorder of Sacramento County, California for recording.

PASSED AND ADOPTED by the Board of Directors of the Elk Grove Community Services District, this 6th day of December, 2005, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Elk Grove Community Services District

Elliot Mulberg, President

ATTEST:

Donna L. Hansen, Secretary

WHEN RECORDED RETURN TO:

ELK GROVE COMMUNITY SERVICES DISTRICT
8820 Elk Grove Blvd Suite 3
Elk Grove, Ca 95758
NO FEE DOCUMENT

Okay to Accept/Date:

APN: 132-1700-055,

Project: Bilby Ranch Unit 1

Subdivision No. 02-285.1

Lot(s) D

(Landscape Purposes)

GRANT DEED
(Landscape Purposes)

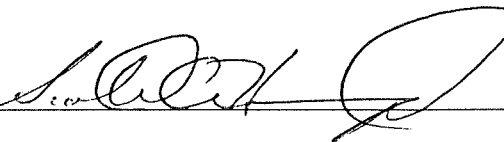
WOODSIDE BILBY RANCH, INC., A DELAWARE CORPORATION

does hereby grant to the **ELK GROVE COMMUNITY SERVICES DISTRICT**, a political subdivision of the State of California, all that real property in the City of Elk Grove, County of Sacramento, State of California, bounded and described as follows, to-wit:

SEE ATTACHED 'EXHIBIT A', property description, attached hereto and made a part hereof.

Dated this 22 day of SEPTEMBER, 2005.

WOODSIDE BILBY RANCH, INC.,
A DELAWARE CORPORATION

By 

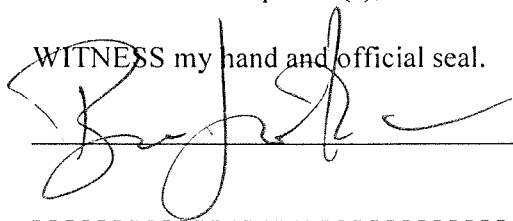
Name/Title Scott A. Hozington, PRES

GENERAL ACKNOWLEDGEMENT

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) SS

On SEPT, 22, before me, the undersigned Notary Public, in and for said State and County, personally appeared SCOTT A. HOISINGTON personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Notary Public

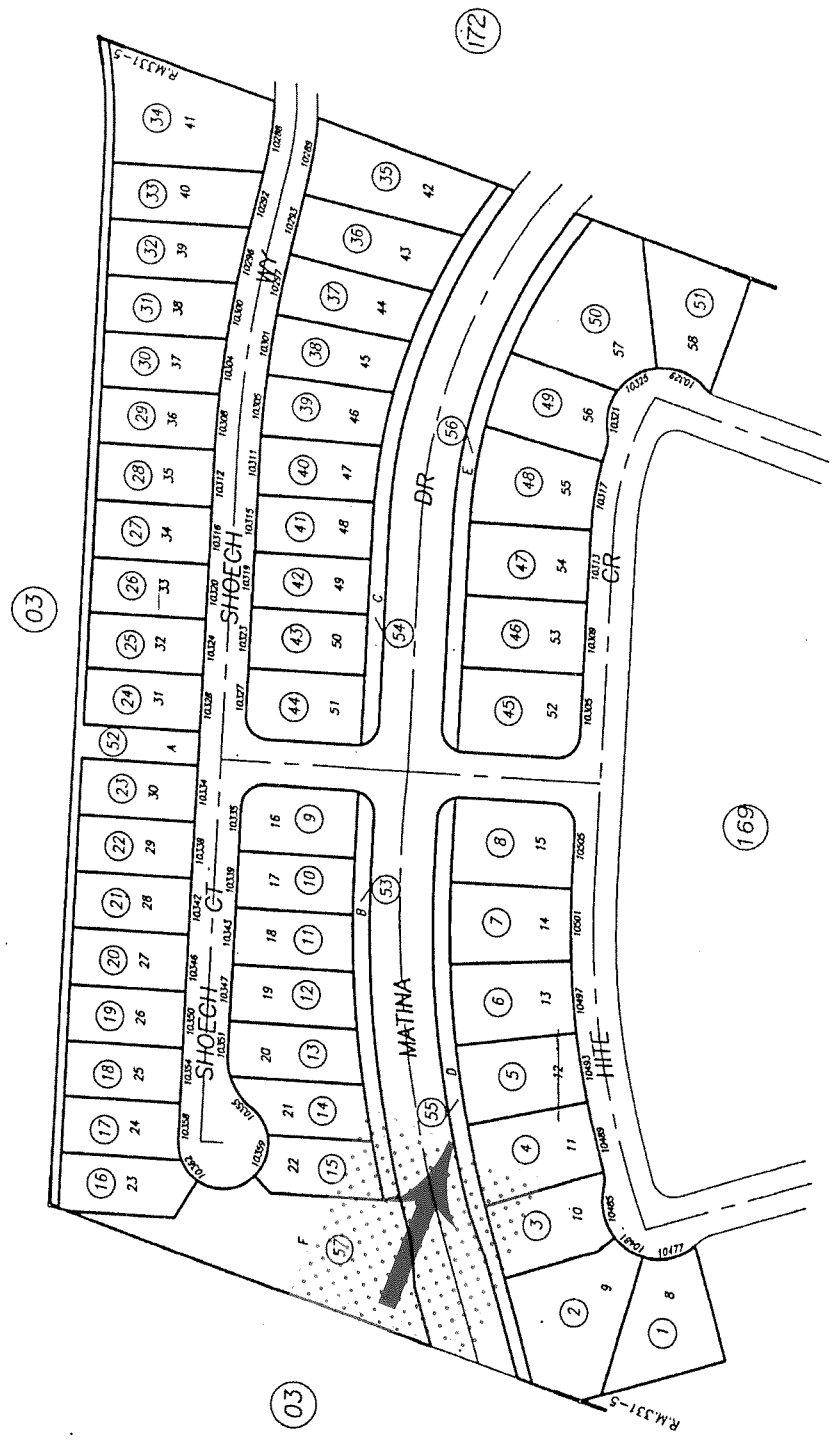
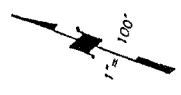


‘EXHIBIT A’

Lot D, as shown on “Subdivision No. 02-285.1 – Bilby Ranch Unit 1” recorded on June 24, 2004, in Book 331 of Maps, map no. 5.

132-170

POR. SEC. 8, T.6N., R.5E., M.D.B. & M.



Por. Bilby Ranch Unit 1, R.M. Bk. 331 Pg. 5 (6-24-2004)

CITY OF ELK GROVE
Assessor's Map Bk. 132 Pg. 170
County of Sacramento, Calif.

OCT 2 2 2004

ELK GROVE COMMUNITY SERVICES DISTRICT

RESOLUTION NO. 2005-148

RESOLUTION ACCEPTING DEED BY THE
ELK GROVE COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS TO REAL PROPERTY

Bilby Ranch Unit 1, Lot E
APN 132-1700-056 (Corridor)

WHEREAS, the Elk Grove Community Services District, a political subdivision of the State of California, heretofore received from **Woodside Bilby Ranch, Inc., a Delaware Corporation**, the real property described in the attached Deed and made a part hereof by reference for all purposes, and

WHEREAS, **Woodside Bilby Ranch, Inc., a Delaware Corporation**, has made, executed, acknowledged and delivered to said Elk Grove Community Services District, a Grant Deed dated the 22nd day of September, 2005, conveying the real property described in the Deed, to said Elk Grove Community Services District;

NOW THEREFORE BE IT RESOLVED that the Board accepts the Grant Deed attached hereto and directs the same to be forwarded to the Recorder of Sacramento County, California for recording.

PASSED AND ADOPTED by the Board of Directors of the Elk Grove Community Services District, this 6th day of December, 2005, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Elk Grove Community Services District

Elliot Mulberg, President

ATTEST:

Donna L. Hansen, Secretary

WHEN RECORDED RETURN TO:

ELK GROVE COMMUNITY SERVICES DISTRICT
8820 Elk Grove Blvd Suite 3
Elk Grove, Ca 95758
NO FEE DOCUMENT

Okay to Accept/Date:

APN: 132-1700-056,

Project: Bilby Ranch Unit 1

Subdivision No. 02-285.1

Lot(s) E

(Landscape Purposes)

GRANT DEED
(Landscape Purposes)

WOODSIDE BILBY RANCH, INC., A DELAWARE CORPORATION

does hereby grant to the **ELK GROVE COMMUNITY SERVICES DISTRICT**, a political subdivision of the State of California, all that real property in the City of Elk Grove, County of Sacramento, State of California, bounded and described as follows, to-wit:

SEE ATTACHED 'EXHIBIT A', property description, attached hereto and made a part hereof.

Dated this 22 day of SEPTEMBER, 2005.

WOODSIDE BILBY RANCH, INC.,
A DELAWARE CORPORATION

By 

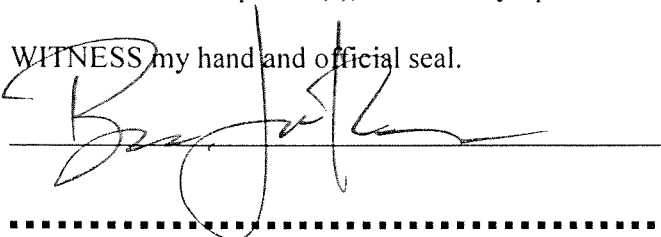
Name/Title Scott A. Horington, Pres.

GENERAL ACKNOWLEDGEMENT

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) SS

On SEPT, 22, before me, the undersigned Notary Public, in and for said State and County, personally appeared SCOTT A. HOISMINGTON personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

 Notary Public

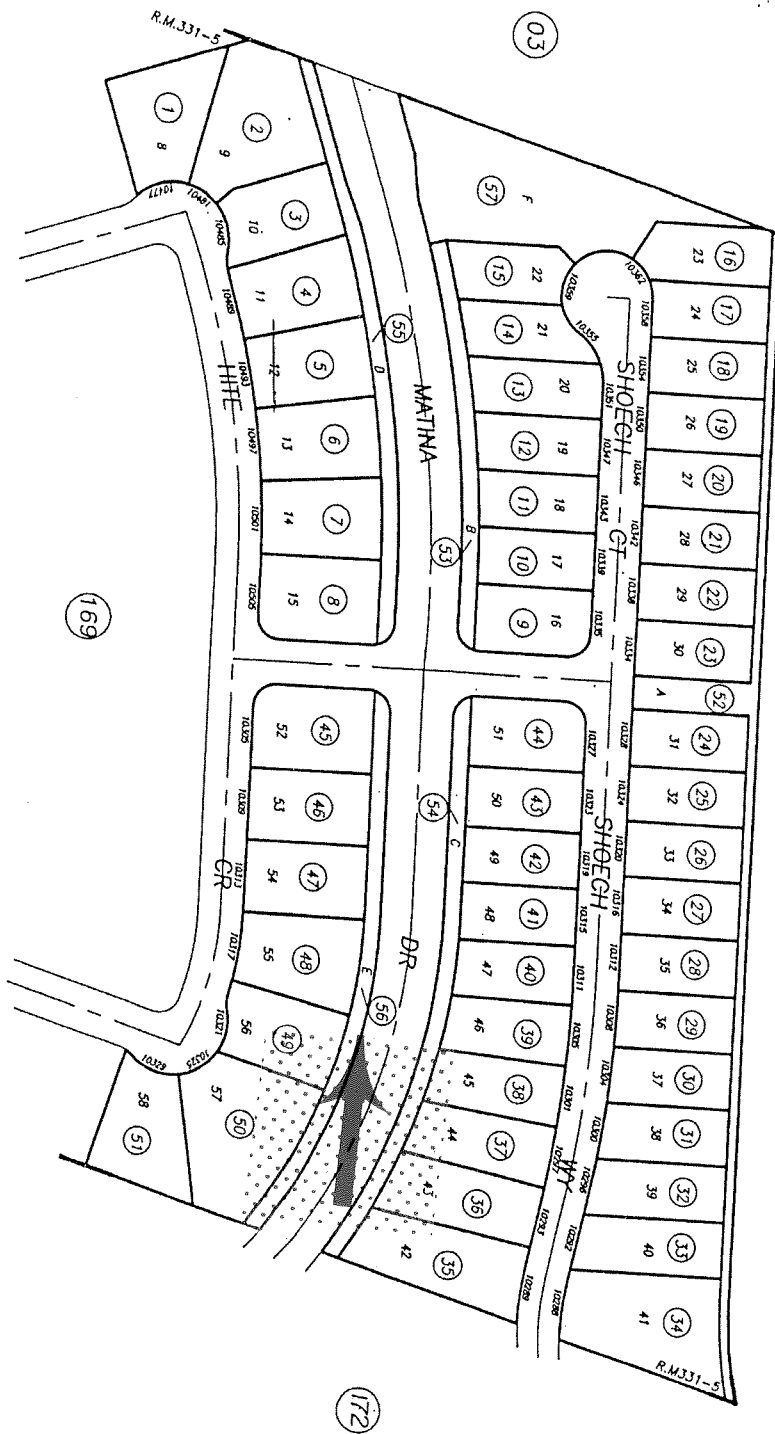


‘EXHIBIT A’

Lot E, as shown on “Subdivision No. 02-285.1 – Bilby Ranch Unit 1”
recorded on June 24, 2004, in Book 331 of Maps, map no. 5.

POR. SEC. 8, T.6N., R.5E., M.D.B. & M.

132-170



Por. Bilby Ranch Unit 1, R.M. Bk. 331 Pg. 5 (6-24-2004)

CITY OF ELK GROVE
Assessor's Map Bk. 132 Pg. 170
County of Sacramento, Calif.

OCT 2 2 2004

ELK GROVE COMMUNITY SERVICES DISTRICT

RESOLUTION NO. 2005-149

RESOLUTION ACCEPTING DEED BY THE ELK GROVE COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS TO REAL PROPERTY

Bilby Ranch Unit 1, Lot G APN 132-1690-050 (Corridor)

WHEREAS, the Elk Grove Community Services District, a political subdivision of the State of California, heretofore received from **Woodside Bilby Ranch, Inc., a Delaware Corporation**, the real property described in the attached Deed and made a part hereof by reference for all purposes, and

WHEREAS, **Woodside Bilby Ranch, Inc., a Delaware Corporation**, has made, executed, acknowledged and delivered to said Elk Grove Community Services District, a Grant Deed dated the 22nd day of September, 2005, conveying the real property described in the Deed, to said Elk Grove Community Services District;

NOW THEREFORE BE IT RESOLVED that the Board accepts the Grant Deed attached hereto and directs the same to be forwarded to the Recorder of Sacramento County, California for recording.

PASSED AND ADOPTED by the Board of Directors of the Elk Grove Community Services District, this 6th day of December, 2005, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Elk Grove Community Services District

Elliot Mulberg, President

ATTEST:

Donna L. Hansen, Secretary

WHEN RECORDED RETURN TO:

ELK GROVE COMMUNITY SERVICES DISTRICT
8820 Elk Grove Blvd Suite 3
Elk Grove, Ca 95758
NO FEE DOCUMENT

Okay to Accept/Date:

APN: 132-1690-050,

Project: Bilby Ranch Unit 1

Subdivision No. 02-285.1

Lot(s) G

(Landscape Purposes)

GRANT DEED
(Landscape Purposes)

WOODSIDE BILBY RANCH, INC., A DELAWARE CORPORATION

does hereby grant to the **ELK GROVE COMMUNITY SERVICES DISTRICT**, a political subdivision of the State of California, all that real property in the City of Elk Grove, County of Sacramento, State of California, bounded and described as follows, to-wit:

SEE ATTACHED 'EXHIBIT A', property description, attached hereto and made a part hereof.

Dated this 22 day of September, 2005.

WOODSIDE BILBY RANCH, INC.,
A DELAWARE CORPORATION

By 

Name/Title Scott A. Housington Pres

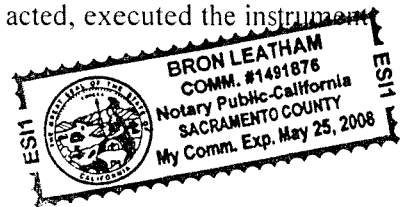
GENERAL ACKNOWLEDGEMENT

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss

On SEPT, 22, before me, the undersigned Notary Public, in and for said State and County, personally appeared SCOTT A. HOISINGTON personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

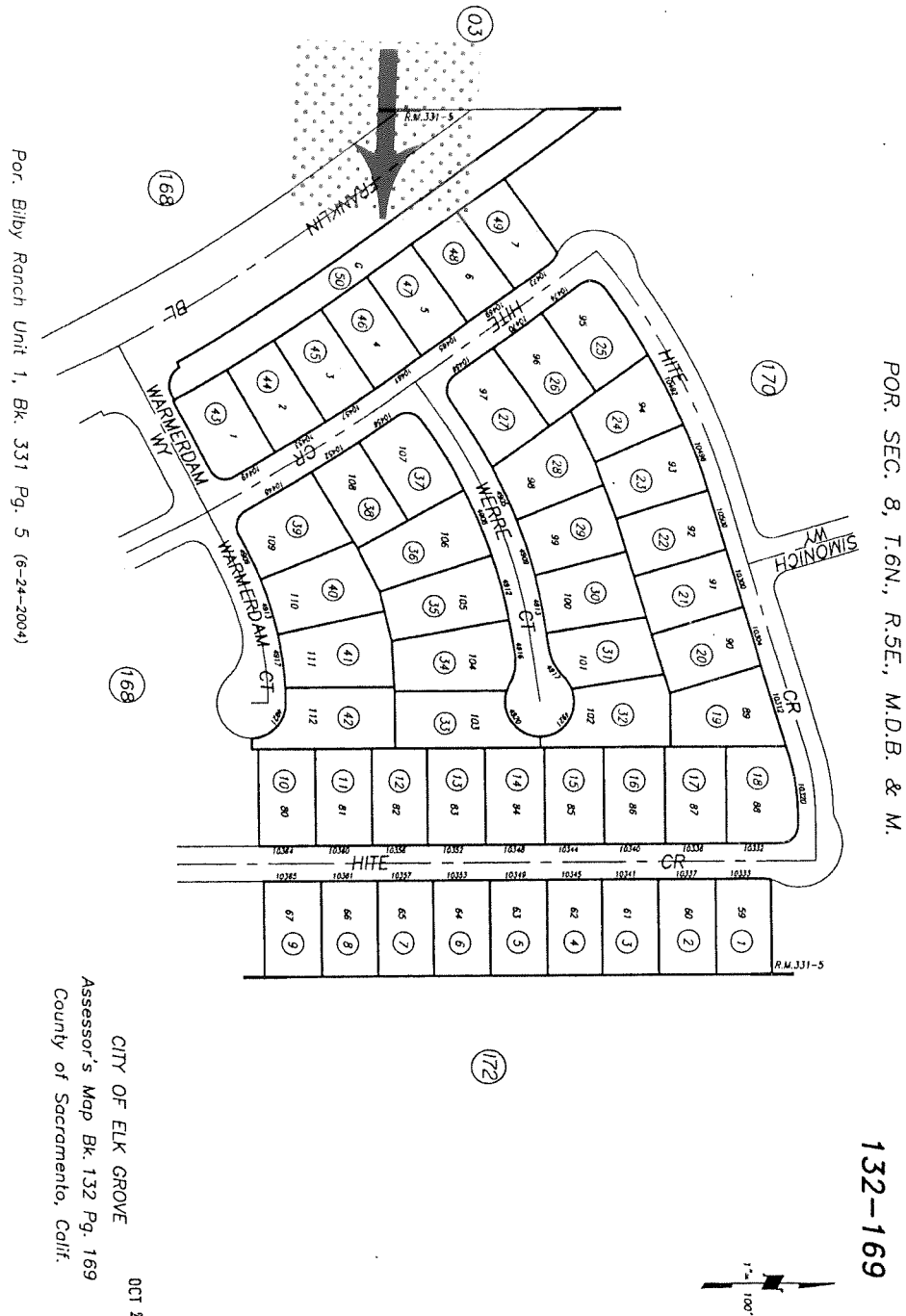
WITNESS my hand and official seal.

[Signature] Notary Public



‘EXHIBIT A’

Lot G, as shown on “Subdivision No. 02-285.1 – Bilby Ranch Unit 1”
recorded on June 24, 2004, in Book 331 of Maps, map no. 5.



ELK GROVE COMMUNITY SERVICES DISTRICT

RESOLUTION NO. 2005-150

RESOLUTION ACCEPTING DEED BY THE ELK GROVE COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS TO REAL PROPERTY

Bilby Ranch Unit 1, Lot H APN 132-1680-030 (Corridor)

WHEREAS, the Elk Grove Community Services District, a political subdivision of the State of California, heretofore received from **Woodside Bilby Ranch, Inc., a Delaware Corporation**, the real property described in the attached Deed and made a part hereof by reference for all purposes, and

WHEREAS, **Woodside Bilby Ranch, Inc., a Delaware Corporation**, has made, executed, acknowledged and delivered to said Elk Grove Community Services District, a Grant Deed dated the 22nd day of September, 2005, conveying the real property described in the Deed, to said Elk Grove Community Services District;

NOW THEREFORE BE IT RESOLVED that the Board accepts the Grant Deed attached hereto and directs the same to be forwarded to the Recorder of Sacramento County, California for recording.

PASSED AND ADOPTED by the Board of Directors of the Elk Grove Community Services District, this 6th day of December, 2005, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Elk Grove Community Services District

Elliot Mulberg, President

ATTEST:

Donna L. Hansen, Secretary

WHEN RECORDED RETURN TO:

ELK GROVE COMMUNITY SERVICES DISTRICT
8820 Elk Grove Blvd Suite 3
Elk Grove, Ca 95758
NO FEE DOCUMENT

Okay to Accept/Date:

APN: 132-1680-030,

Project: Bilby Ranch Unit 1

Subdivision No. 02-285.1

Lot(s) H

(Landscape Purposes)

GRANT DEED
(Landscape Purposes)

WOODSIDE BILBY RANCH, INC., A DELAWARE CORPORATION

does hereby grant to the **ELK GROVE COMMUNITY SERVICES DISTRICT**, a political subdivision of the State of California, all that real property in the City of Elk Grove, County of Sacramento, State of California, bounded and described as follows, to-wit:

SEE ATTACHED 'EXHIBIT A', property description, attached hereto and made a part hereof.

Dated this 22 day of SEPTEMBER, 2005.

WOODSIDE BILBY RANCH, INC.,
A DELAWARE CORPORATION

By 

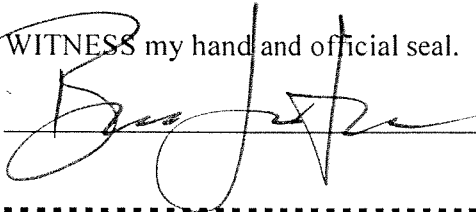
Name/Title Scott A. Haisington PRES.

GENERAL ACKNOWLEDGEMENT

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss

On SEPT, 22, before me, the undersigned Notary Public, in and for said State and County, personally appeared SCOTT A. HOISINGTON personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

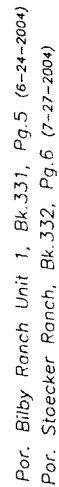


Notary Public



‘EXHIBIT A’

Lot H, as shown on “Subdivision No. 02-285.1 – Bilby Ranch Unit 1” recorded on June 24, 2004, in Book 331 of Maps, map no. 5.



CITY OF ELK GROVE
Assessor's Map Bk. 132 Pg. 168
County of Sacramento, Calif.

ELK GROVE COMMUNITY SERVICES DISTRICT

RESOLUTION NO. 2005-151

RESOLUTION ACCEPTING DEED BY THE ELK GROVE COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS TO REAL PROPERTY

Bilby Ranch Unit 1, Lot K **APN 132-1680-055 (Corridor)**

WHEREAS, the Elk Grove Community Services District, a political subdivision of the State of California, heretofore received from **Woodside Bilby Ranch, Inc., a Delaware Corporation**, the real property described in the attached Deed and made a part hereof by reference for all purposes, and

WHEREAS, **Woodside Bilby Ranch, Inc., a Delaware Corporation**, has made, executed, acknowledged and delivered to said Elk Grove Community Services District, a Grant Deed dated the 22nd day of September, 2005, conveying the real property described in the Deed, to said Elk Grove Community Services District;

NOW THEREFORE BE IT RESOLVED that the Board accepts the Grant Deed attached hereto and directs the same to be forwarded to the Recorder of Sacramento County, California for recording.

PASSED AND ADOPTED by the Board of Directors of the Elk Grove Community Services District, this 6th day of December, 2005, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Elk Grove Community Services District

Elliot Mulberg, President

ATTEST:

Donna L. Hansen, Secretary

WHEN RECORDED RETURN TO:

ELK GROVE COMMUNITY SERVICES DISTRICT
8820 Elk Grove Blvd Suite 3
Elk Grove, Ca 95758
NO FEE DOCUMENT

Okay to Accept/Date:

APN: 132-1680-055,

Project: Bilby Ranch Unit 1

Subdivision No. 02-285.1

Lot(s) K

(Landscape Purposes)

GRANT DEED
(Landscape Purposes)

WOODSIDE BILBY RANCH, INC., A DELAWARE CORPORATION

does hereby grant to the **ELK GROVE COMMUNITY SERVICES DISTRICT**, a political subdivision of the State of California, all that real property in the City of Elk Grove, County of Sacramento, State of California, bounded and described as follows, to-wit:

SEE ATTACHED 'EXHIBIT A', property description, attached hereto and made a part hereof.

Dated this 22 day of September, 2005.

WOODSIDE BILBY RANCH, INC.,
A DELAWARE CORPORATION

By 

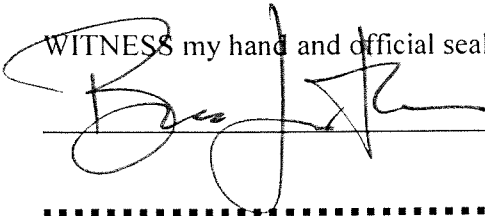
Name/Title Scott A. Herington Pres.

GENERAL ACKNOWLEDGEMENT

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss

On SEPT, 22, before me, the undersigned Notary Public, in and for said State and County, personally appeared SCOTT A. HOISINGTON personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Notary Public



‘EXHIBIT A’

Lot K, as shown on “Subdivision No. 02-285.1 – Bilby Ranch Unit 1”
recorded on June 24, 2004, in Book 331 of Maps, map no. 5.

POR. SEC. 8, T.6N., R.5E., M.D.B. & M.

100°



Assessor's Map Bk. 132 Pg. 168
County of Sacramento, Calif.

Por. Bilby Ranch Unit 1, Bk.331, Pg.5 (6-24-2004)

Por. Stoecker Ranch, Bk.332, Pg.6 (7-27-2004)

ELK GROVE COMMUNITY SERVICES DISTRICT

RESOLUTION NO. 2005-152

RESOLUTION ACCEPTING DEED BY THE
ELK GROVE COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS TO REAL PROPERTY

Laguna Big Horn, Lot X
APN 116-1500-134 (Trail Corridor)

WHEREAS, the Elk Grove Community Services District, a political subdivision of the State of California, heretofore received from **Laguna Big Horn, LLC, a Delaware Limited Liability Company**, the real property described in the attached Deed and made a part hereof by reference for all purposes, and

WHEREAS, **Laguna Big Horn, LLC, a Delaware Limited Liability Company**, has made, executed, acknowledged and delivered to said Elk Grove Community Services District, a Grant Deed dated the 13th day of October, 2005, conveying the real property described in the Deed, to said Elk Grove Community Services District;

NOW THEREFORE BE IT RESOLVED that the Board accepts the Grant Deed attached hereto and directs the same to be forwarded to the Recorder of Sacramento County, California for recording.

PASSED AND ADOPTED by the Board of Directors of the Elk Grove Community Services District, this 6th day of December, 2005, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Elk Grove Community Services District

Elliot Mulberg, President

ATTEST:

Donna L. Hansen, Secretary

NO FEE DOCUMENT

Government Code §6103

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

CITY OF ELK GROVE

8380 Laguna Palms Way

Elk Grove, CA 95758

Attn: City Clerk

The Above Space For Recorder's Use Only

O.K. to Accept _____
Date: _____

Project Name: Laguna Big Horn
Address: _____
A.P.N.: 116-0330-027, 045 & 046
Project No.: EG-03-525-FM-00

GRANT DEED

FOR VALUABLE CONSIDERATION, receipt and sufficiency of which is hereby acknowledged,

Laguna Big Horn, LLC, a Delaware Limited Liability Company

hereby grants to the **ELK GROVE COMMUNITY SERVICES DISTRICT**, all that real property in the City of Elk Grove, County of Sacramento, State of California, described as follows:

Lot X as shown on the map entitled Subdivision No. 03-525.00 Laguna Big Horn, recorded in the office of the County Recorder of Sacramento, California on Nov. 24, 2004, in Book 337 of Maps at Page 3.

Executed this 13th day of October, 2005.

GRANTORS: Laguna big Horn, LLC, a Delaware Limited Liability Company

By: William Lyon Homes, Inc.,
a California Corporation,
Its Managing Member

By: 

Timothy M. Cotton, Assistant Secretary
(Print Name & Title)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

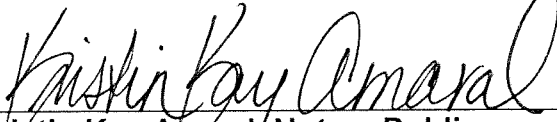
STATE OF CALIFORNIA)
) ss.
COUNTY OF SACRAMENTO)

On October 13, 2005 before me, Kristin Kay Amaral, Notary Public, personally appeared, Timothy M. Cotton, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Signature



Kristin Kay Amaral, Notary Public

Commission #1525551
My Commission Expires on December 8, 2008
Principal County of Business is Sacramento County

OPTIONAL

Description of Attached Document

Title or Type of Attached Document: Grant Deed – Lot X (Park Trail) – Laguna Big Horn

Document Date: 10/13/05

Number of Pages: 1

Signer(s) Other Than Above: _____

Capacity(ies) Claimed by Signer

Signer's name:

Individual

X Corporate Officer – Title(s): Assistant Secretary

Partner Limited General

Attorney in Fact

Trustee

Guardian or Conservator

Other:

Signer is Representing: William Lyon Homes, Inc.

INDEX SHEET I

(R) RADIAL L
(1) SHEET 1A

BASIS OF BE
THE BEARINGS SH
NORTH AMERICAN I
CALIFORNIA STATI
2, BASED LOCAL
HORN BOULEVARD,
DISTANCES SHOWN
UNLESS OTHERWISE

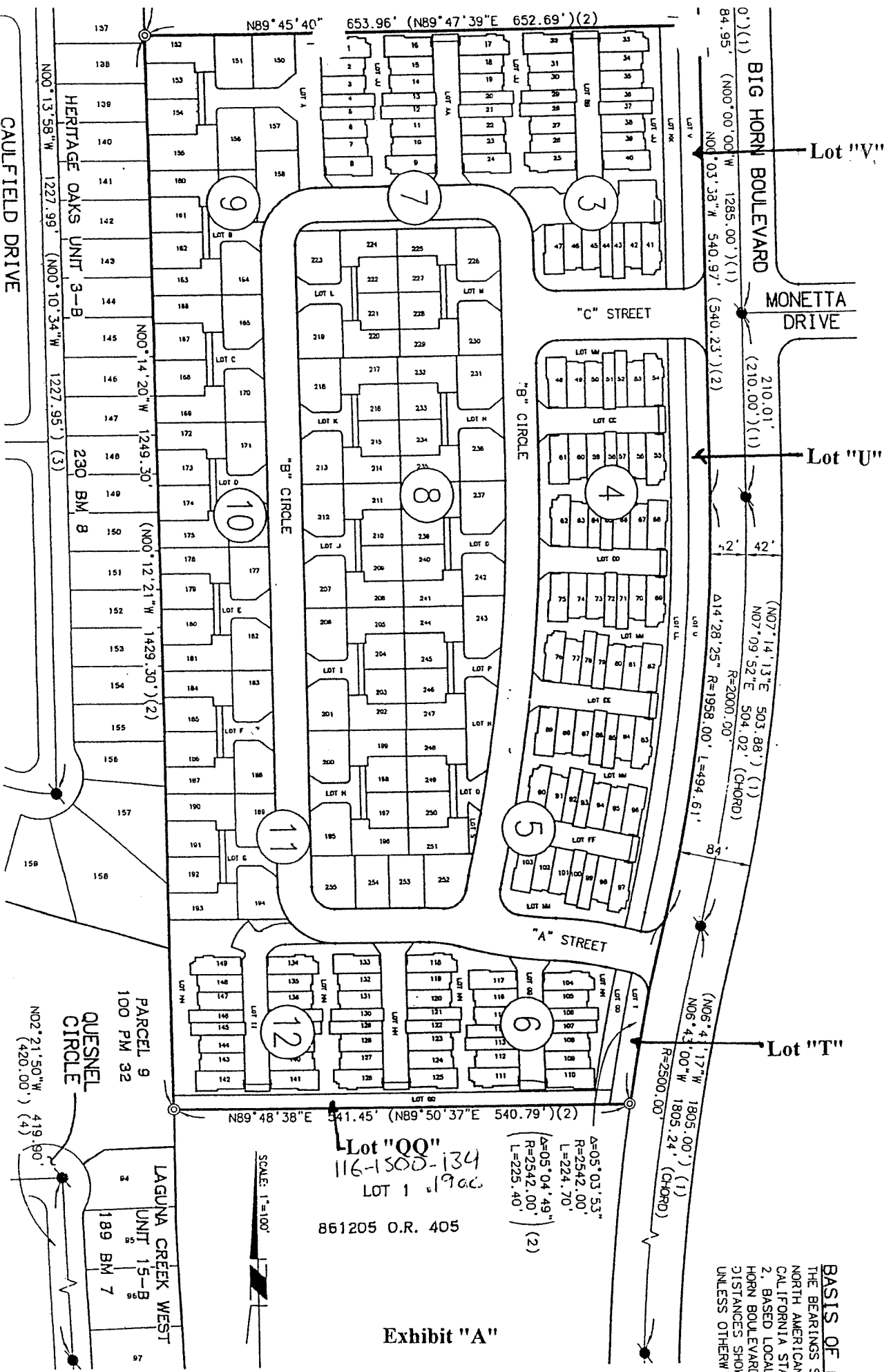


Exhibit "A"

NO FEE DOCUMENT

Government Code §6103

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

ELK GROVE COMMUNITY SERVICES DISTRICT

8820 Elk Grove Blvd. Ste #3

Elk Grove, CA 95624

Attn: Fred Bremerman

O.K. to Accept _____

Date: _____

Project Name: Bilby Meadows, Unit 21

Address: _____

A.P.N.: _____

Project No.: _____

LANDSCAPE AND PEDESTRIAN WALKWAY EASEMENT

FOR VALUABLE CONSIDERATION, receipt and sufficiency of which is hereby acknowledged,

D.R. HORTON, INC.-SACRAMENTO, A CALIFORNIA CORPORATION

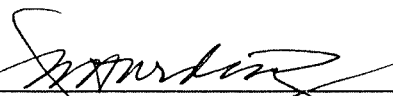
hereby grants to the **ELK GROVE COMMUNITY SERVICES DISTRICT**, a political subdivision of the County of Sacramento, State of California, an EASEMENT for the purpose of planting and maintaining trees and plants together with the installation and maintenance of irrigation pipelines, drainage pipes and their appurtenances, and for the installation and maintenance of a pedestrian walkway, together with any appurtenances pertaining thereto upon, on, under and across that certain real property in the City of Elk Grove, County of Sacramento, State of California, described as follows:

See Exhibit A, legal description, and Exhibit B, plat to accompany legal description, attached hereto and made a part hereof.

Executed this 30th day of September, 2005.

GRANTORS:

Name:

By: 

Name:

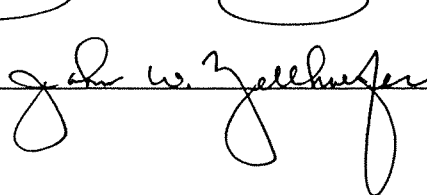
By: 

EXHIBIT A

DESCRIPTION OF PARKWAY CORRIDOR

All that certain real property situate in the East One-Half of the Southwest One-Quarter of Section 9, Township 6 North, Range 5 East, Mount Diablo Meridian, City of Elk Grove, County of Sacramento, State of California, and being further described as follows:

Being all of Lot 199 as shown on that certain final map entitled "BILBY MEADOWS UNIT 1" filed in Book 320, at Page 6, Sacramento County Records.

Containing 1.462 acres of land, more or less.

Basis of Bearings is California State Plane coordinate System, Zone 2, NAD'83 as measured between Stations Eschinger and Keller and is North 20°56'36" West.

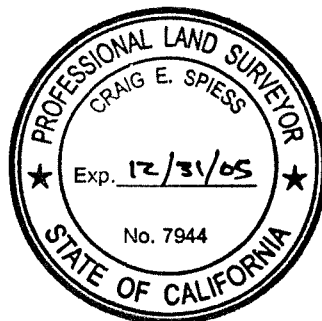
See exhibit "A-1", plat to accompany description, attached hereto and made a part hereof.

This legal description was prepared by me or under my supervision pursuant to section 8729 (2) of the Professional Land Surveyors Act.



Craig E. Spiess P.L.S. 7944
Expires December 31, 2005

Date: 12/12/03



PREPARED BY WOOD RODGERS, INC
SACRAMENTO, CALIFORNIA

ACKNOWLEDGEMENT

State of California

County of Sacramento

On September 30, 2005, before me Michelle Vossen, Notary Public, personally appeared John W. Zellhoefer
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Michelle Vossen
Notary Public



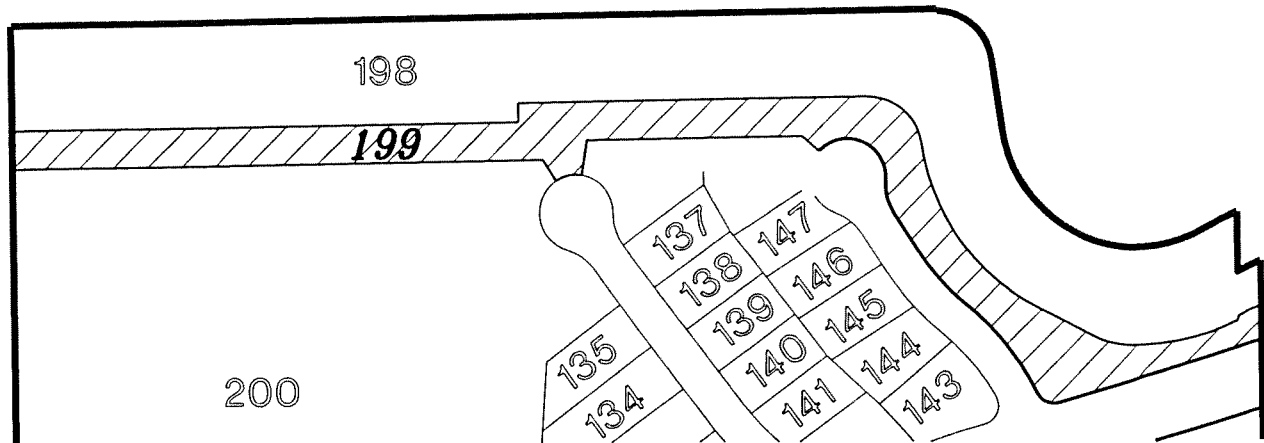
EXHIBIT A-1

PLAT TO ACCOMPANY
DESCRIPTION

BILBY MEADOWS UNIT 1
PARKWAY CORRIDOR
LOT 199- 320 B.M. 6

CITY OF ELK GROVE
COUNTY OF SACRAMENTO STATE OF CALIFORNIA

132-1490-023



SCALE: 1" = 200'



12/12/03

[Handwritten signature]

SEE DESCRIPTION FOR
COURSE INFORMATION



WOOD RODGERS
ENGINEERING • MAPPING • PLANNING • SURVEYING

3301 C St., Bldg. 100-B Tel 916.341.7760
Sacramento, CA 95816 Fax 916.341.7767

ELK GROVE COMMUNITY SERVICES DISTRICT

RESOLUTION NO. 2005-153

RESOLUTION ACCEPTING DEED BY THE ELK GROVE COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS TO REAL PROPERTY GRANT OF LANDSCAPE MAINTENANCE EASEMENT BILBY MEADOWS UNIT 1, LOT 199 (Trail Corridor)

WHEREAS, the Elk Grove Community Services District, a political subdivision of the State of California, heretofore received from D.R. Horton, Inc-Sacramento, a California Corporation, an easement for property described in the attached Easement and made a part hereof by reference for all purposes, and

WHEREAS, Elk Grove Community Services District desires to execute the requested easement affecting the real property described therein.

NOW THEREFORE BE IT RESOLVED that the Secretary of the Board of Directors be and is hereby authorized and directed to execute said easement agreement and to cause the same together with this Resolution to be recorded in the Office of the Recorder of Sacramento County, California.

PASSED AND ADOPTED by the Board of Directors of the Elk Grove Community Services District, this 6th day of December, 2005, by the following vote to wit:

AYES:

NOES:

ABSENT:

Elk Grove Community Services District

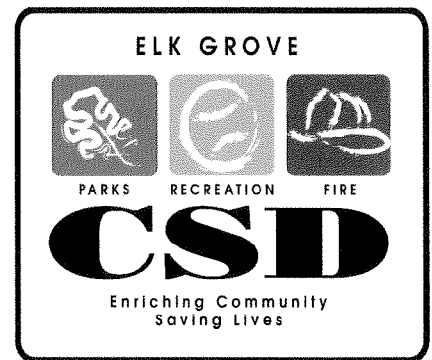
Elliot Mulberg, President

ATTEST:

Donna L. Hansen, Secretary

STAFF REPORT

DATE: December 6, 2005
TO: Board of Directors
FROM: Jeff Ramos, Chief Operating Officer
SUBJECT: REJECTION OF CLAIM



RECOMMENDATION

That the Board of Directors approve Resolution No. 2005-154, Rejecting in Whole the Claim Filed by Martha Herrera.

BACKGROUND/ANALYSIS

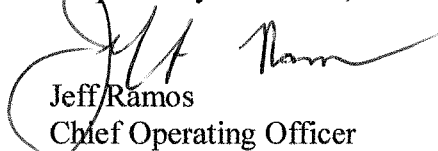
A claim was filed by Martha Herrera alleging liability for personal injury while walking within Foulks Park on May 5, 2005.

This claim was forwarded to Special District Risk Management Authority who provides insurance for the District. They have advised us to reject this claim.

The attached Resolution formally rejects the tort claim.

Should you have any questions, please call me prior to the meeting.

Respectfully submitted,


Jeff Ramos
Chief Operating Officer

Attachment

RESOLUTION NO. 2005-154

**RESOLUTION OF THE GOVERNING BOARD OF THE
ELK GROVE COMMUNITY SERVICES DISTRICT**

Rejection of Government Claim

WHEREAS, a claim for monetary damages ("Claim") has been presented by Martha Herrera, dated October 31, 2005, against the Elk Grove Community Services District for personal injury; and

WHEREAS, California Government Code Section 912.4(a) provides that when a claim is presented to a local public entity, that local public entity has forty-five (45) days to act upon said claim; and

WHEREAS, California Government Code Section 912.6(a)(1) provides that when a claim is made against a local public entity, a Board may reject the claim, if it finds the claim is not a proper charge against the local public entity; and California Government Code Section 912.6(a)(4) provides that when a claim is made against a local public entity, the board may reject the claim if the legal liability of the public entity is disputed; and

WHEREAS, that the Governing Board of the Elk Grove Community Services District has considered the Claim filed by Martha Herrera.

NOW, THEREFORE BE IT RESOLVED that the Governing Board of the Elk Grove Community Services District has concluded that the Claim be rejected in its entirety.

BE IT FURTHER RESOLVED that the District's General Manager, or her designee, is authorized to give notice to Martha Herrera of this Governing Board's decision to reject, in its entirety, the Claim, and further advise that said claimant has six (6) months from the date the rejection is deposited in the mail to file a court action on the claim. Such notice, together with a copy of this Resolution, shall be served upon Martha Herrera on or before December 13, 2005.

PASSED AND ADOPTED this 6th day of December, 2005, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Elk Grove Community Services District

Elliot Mulberg, President

ATTEST:

Donna L. Hansen, Secretary

STAFF REPORT

DATE: December 6, 2005

TO: Board of Directors

THROUGH: Donna Hansen, General Manager

FROM: Keith Grueneberg, Fire Chief

BY: John Ebner, Administrative Analyst

SUBJECT: Notice of Completion for the renovation of Fire Station #74



RECOMMENDATION

That the Board of Directors approve the filing of a Notice of Completion for the work performed to renovate Fire Station #74.

BACKGROUND\ANALYSIS

Pursuant to the recommendation made by the Elk Grove CSD Fire Department's architect, a Notice of Completion for Fire Station #74 is ready to be filed. The architect, Madsen, Flathmann, Dameron, & Babcock Architects, Inc., has reviewed the work performed by Younger General Contractors, Inc., and believes said work to be substantially complete as of October 7, 2005. It is also on this date that all applicable warranties associated with the construction contract will commence.

The Elk Grove CSD Fire Department accepts the work as substantially complete and has assumed full possession. The Contractor no longer has responsibility for security, heat, utilities, damage to the work, or insurance.

There is a list of items that needs to be completed or corrected. The Contractor shall complete or correct the work on the list of items within 35 days following the recording of the Notice of Completion.

Should you have any questions, please contact me prior to the meeting.

Respectfully submitted,

Keith Grueneberg
Fire Chief

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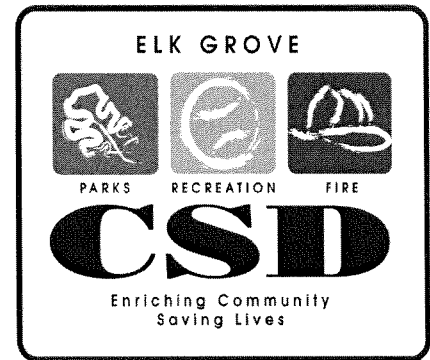
STAFF REPORT

DATE: December 6, 2005

TO: Board of Directors

THROUGH: Donna L. Hansen, General Manager
Jeff Ramos, Chief Operating Officer
Sue Wise, Parks & Recreation Administrator

FROM: Karen Goesch, Sr. Management Analyst
Mike Dopson, Recreation Supervisor II



SUBJECT: WACKFORD SKATE PARK RECOMMENDATIONS

RECOMMENDATION

The Board review and approve the following:

- I. Reopening the Skate Park as a fully supervised skate park upon completion of the following:
- II. Capital Improvements as represented in Option #1 OR Option #2 (**SEE ATTACHMENT A**)
- III. Fees as represented in Option #1, Option #2, or Option #3 as listed in this staff report.
- IV. Operational Improvements
 - a. Staffing Costs - \$ 57,000 per year
 - b. Training Costs - \$ 20,000
 - c. Scanner & ID Costs - \$ 5,000

BACKGROUND/ANALYSIS:

In July, staff was requested to perform an analysis of the Wackford Facility, including the Skate Park. This analysis included a review of issues, the problems that have occurred, and making appropriate recommendations to the Board. Issues exist that involve logistics, facility modifications, and operational issues.

In December 2004, the Skate Park opened as a free, "unsupervised Park", whereby staff opened the park and closed it at the end of the day. Staff has spent numerous hours maintaining and responding to issues at the Skate Park. On-going issues include, but are not limited to, the health, safety, and welfare of the participants, user liability waivers on file, safety equipment being worn, and adherence to the posted rules.

In order to address these issues, staff first looked at objectives. These main objectives consist of safety and welfare, health and well-being, facility control mechanisms, adequate facilities, code compliance, operations, and reasonable staffing levels.

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In order to afford a better understanding of the issues surrounding the skate park facility, meetings and phone calls were held with a variety of groups and individuals, including the fire department, law enforcement, non-profit youth groups, business owners, schools, skate park users and parents, skate park event organizers, other skate parks, contractors, architects, and CSD staff. Letters of support were received from the Elk Grove Police Department, the Sheriff's Department and USA Teen Center supporting changes to the facility and operation that provide safety, security, and control at the Skate Park. Their recommendations include enforcing current policies, establishing a supervised park, knowing who is using the facility, and holding users to a standard of behavior. All agencies contacted agreed that changes are needed.

Research of skate parks has revealed that most other skate parks operate in open area park settings. Those skate parks are operating away and separate from other facilities such as the Wackford Facility. The Wackford Facility is unusual in that it operates an Aquatics Center, Gymnasium, Pre-School Programs, formal Ballroom and meeting rooms, and a Teen Center, all within the same locale as the Skate Park. Because of the logistics, problems have overlapped into other areas, causing conflict between various users of the facility. In order to resolve these overlapping issues facility and operational changes need to be implemented, including rules, identification cards, expected behavior, etc.

ISSUES:

Safety and Security:

- Criminal Activity
- Injuries - Reported and unreported
- Behavior – Code of Conduct/Abiding by Posted Rules

Health & Well-Being

- Restrooms
 - must use Wackford Building or softball diamond concessions
 - sometimes use of the exterior of the building as a restroom rather than walk to a restroom
- Concessions/Vending Machines
 - must use Wackford Teen Center, Wackford Lobby area or softball diamond concessions
- Shade Structure
 - no shade during the hot summer months for skate park users; must go inside the Wackford Facility to get relief from the sun

Facility Control Mechanism

- Lack of Identification
 - Users fail to identify themselves to staff and officers
 - In the event of an emergency, can not identify minors
- Uncontrolled access
 - Open area around the Skate Park
 - Unmonitored entry/exit points
 - Unknown who is in the facility
 - Persons move freely in and out of the park

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- Liability Waivers
 - Not used and difficult to enforce without identification of users

Code Compliance

- Facility compliance with capacity levels – unknown since not supervised
- Facility compliance with use limitations – unknown since not supervised

Operations

- Open long periods of time - no supervised programming
- Uncontrolled environment - No direct supervision
- Currently free park; no charges
- Currently no staffing levels - Capacity level vs. staffing levels

I. SUPERVISED PARK:

Staff recommends that the park reopen as a supervised park. The park will be staffed when open. All users will be required to sign waivers and all users will be required to carry District issued Identification Cards or wear daily wristbands. All participants will be required to wear protective safety equipment, and abide by rules and a code of conduct.

II. CAPITAL IMPROVEMENT RECOMMENDATIONS:

After many meetings with staff, architects, fire and law enforcement personnel, and onsite reviews of the Skate Park, a variety of layout proposals were developed. Factors considered in developing the options included code compliance, utility availability, cost, staffing requirements, and customer service, while providing safety and control. Many options were considered; some did not meet the required specifications for compliance with one or more of the requirements. All options require site preparation, shade structures, a kiosk, fencing modifications, and architectural and landscaping changes. Costs are outlined for options presented in this report in **Attachment "A"**.

Option #1 is recommended by the Park Committee. This option provides three portable restrooms, enclosed in a cinder block enclosure and a hand wash station, meeting ADA requirements. Although initially less expensive, over a period of eight years the cost for annual rental fees would pay for a permanent structure. This Option requires on-going, weekly service of the portables, emergency maintenance when units are tipped over, and is less sanitary and aesthetically appealing. There would be a Kiosk at the entrance. The fencing on this option is more extensive than Option #2, and also provides removal of a small section of existing fence on the southeast side of the park. The fencing costs are higher on this option. The initial capital outlay on Option #1 is less than Option #2. This plan is shown in **Attachment "B"**. The total cost would be \$ 229,684.

Option #2 is recommended by staff. The fencing on this option is less than Option #1, and there is no removal of existing fencing. Two separate permanent, prefabricated (CXT) buildings would be installed, one providing restrooms, the other for a Kiosk/Concession-vending machine area. This option is ADA compliant. This option, although initially costing more than Option 1, would be a one time outlay rather than on-going costs for rental and maintenance of the portable restrooms

outlined in Option #1. Option #2 provides quality structures that will blend well with the architectural style and aesthetics of the multi-million dollar Wackford Complex.

This option meets all requirements for compliance, safety, control, and amenities for skate park participants. It provides fencing, two permanent CXT buildings; one for restrooms and one for a kiosk/concession-vending area. The initial capital outlay is more than Option #1. This plan is shown in **Attachment "C"**. The cost would be \$ 266,485.

In consideration of both options submitted, the Board should consider:

1. **RESTROOMS:** Restrooms facilities are necessary facilities for a full time supervised Skate Park. Restrooms within the interior of the Skate Park minimize traffic in and out of the park area. Restrooms within the park eliminate the need for users to enter the Teen Center, the Wackford Ballroom hallway, or have to use the Softball diamond restrooms. Restrooms within the Skate Park provide amenities immediately available and within the supervised area of the Skate Park. The Plumbing Code precludes the use of the Teen Center restrooms, due to capacity issues. Permanent restrooms eliminate the on-going cost and servicing of portable restrooms, which would be located adjacent to the Tot play area. Portable restrooms in Option 1 are initially less expensive than a permanent structure; however, over a period of less than eight years, a permanent structure will have paid for itself. Portable restrooms will cost \$6,000 per year and is an ongoing cost. The permanent restrooms, one men's and one women's restroom within one building, would cost \$38,000. Staff recommends Option #2.
2. **KIOSK/CONCESSIONS-VENDING MACHINES:** A combination Kiosk/Concession building is necessary to provide a permanent office/entry point. This combination building would serve as the entrance to the facility and be staffed full-time to monitor the entry and exit from the Skate Park. Both Option #1 and #2 provide a Kiosk. This building would be staffed to review Identification cards of users as they enter the facility, and serve as the main communication point for the Park. The building proposed in Option #2 is a permanent structure that would have two areas, one for staff and the other for concessions-vending machines for Skate Park users. As a separate CXT building, the cost for two separate buildings (Restroom and Kiosk/Concession) is less than one larger building. Option #1 provides a temporary "Tuff Shed" type of building at the cost of \$5,500. Option #2 provides a permanent (CXT) building with combination Kiosk/Concession-vending machines at a cost of \$40,000. Staff recommends Option #2
3. **FENCING:** Additional perimeter fencing is needed in order to gain control, by securing the area and having distinct entry and exit points. This fencing must be positioned to have controlled entry and exit points, yet prevent other users from entering into the facility unmonitored. Compliance with codes for emergency exits and fire lane access must be adhered to. Many options have been reviewed. Option #1 provides for the largest area of fencing, with the additional modification of converting the existing candy cane fencing at the southeast area of the Skate Park to a sliding gate. Option #2 minimizes additional fencing. Both options provide a secure area. The larger area will require additional maintenance. Cost of Option #1, with the larger perimeter area is \$34,325. Option #2 cost is \$16,146. Staff recommends Option #2.

4. **LANDSCAPING:** A larger fenced area will require a larger renovation to the landscaping. As recommended by law enforcement, plant material with thorns should be planted along any fence line to discourage climbing. The landscaping in Option #1 is \$ 25,000 due to the increased fencing proposed. The landscaping in Option #2 is \$ 12,000.
5. **SHADE STRUCTURES:** With the summer heat, shade is a necessity for this open concrete area during the soaring temperatures. Shade structures are recommended in both options. The cost would be \$28,929.

III. FEES:

With the Board's approval of a supervised skate park, staff recommends recovering some of the costs associated with this program. The following are fee, rental fee and program options and recommendations for the skate park.

1. **USER FEES:** If the Board approves a fee for the skate park, there is a wide range in estimated revenue. This range is based on past historical attendance figures. Therefore, the estimated annual revenue reflects minimum and maximum revenue, dependent on the number of participants. The options are as follows:

User Fee Option 1: The participants may purchase an annual pass for \$30, which allows them to use the park whenever it is open for drop-in use. For those users that only want to use the park intermittently, a \$2 per session fee would be charged.

User Fee Option 1 and Projected Cost Recovery

| | Cost | Minimum Participants | Maximum Participants | Estimated Revenue |
|-------------------------------|-------------|-----------------------------|-----------------------------|--------------------------|
| Annual Membership (or) | \$30 | 50 | 150 | \$1,500 - \$4,500 |
| Session Fee | \$2 | 10 | 40 | \$17,500 - \$70,000 |
| Total Revenue | | | | \$19,000 - \$74,500 |

User Fee Option 2: This option also provides participants the opportunity to purchase an annual pass for \$30, which allows them to use the park whenever it is open for drop-in use. For those users that only want to use the park intermittently, the fee is \$1 per session, a decrease of \$1 per session over Option 1.

User Fee Option 2 and Projected Cost Recovery

| | Cost | Minimum Participants | Maximum Participants | Estimated Revenue |
|-------------------------------|-------------|-----------------------------|-----------------------------|--------------------------|
| Annual Membership (or) | \$30 | 50 | 150 | \$1,500 - \$4,500 |
| Session Fee | \$1 | 10 | 40 | \$8,750 - \$35,000 |
| Total Revenue | | | | \$10,250 - \$39,500 |

User Fee Option 3: All users must pay for an annual identification (ID) card AND the per session cost. The estimated number of participants increases with this option, as there is no annual pass option.

User Fee Option 3 and Projected Cost Recovery

| | Cost | Minimum Participants | Maximum Participants | Estimated Revenue |
|---------------------------|-------------|-----------------------------|-----------------------------|--------------------------|
| ID Card (annually) | \$5 | 50 | 150 | \$250 - \$750 |
| & Session Fee | \$2 | 10 | 50 | \$17,500 - \$87,500 |
| Total Revenue | | | | \$17,750 - \$88,250 |

Staff recommends User Fee Option 1 as the fees to charge for use of the skate park is consistent with Roseville, Folsom and the City of Sacramento's skate parks.

2. **PRIVATE RENTAL FEES:** Currently, the skate park rental rate is \$200 for two-and-a-half hours for a private rental (\$80 per hour), and \$150 for two-and-a-half hours for a non-profit rental (\$60 per hour). Rentals include the cost of exclusive use of the park and a security guard to monitor the park during the time of the rental.

Staff recommends increasing the rental rate to \$250 for two-and-a-half hours for a private rental (\$100 per hour). This increase reflects the cost of a staff member to enforce pads, waivers, and manage any concessions. Rentals would also continue to include a security officer to ensure the safety of the rental participants and to assist in making sure only the renters are the users. The non-profit cost would remain unchanged.

IV. OPERATIONAL RECOMMENDATIONS:

1. **STAFFING COSTS:** The operational costs associated with a supervised park are, for the most part, related to staffing. Staff recommends staffing the park with a part-

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time Recreation Leader II and Recreation Leader III overseen by the Recreation Coordinator II for Teens. The Kiosk will be staffed during operating hours as well as a skate park monitor to ensure that rules are enforced and safety standards are met. The direct costs associated with the skate park staffing are estimated at \$ 57,000 per year.

2. TRAINING COSTS: To properly train staff in the areas of CPR/1st Aid, Gang and Narcotic Recognition, Customer Service Skills, 832 P.C. Training, and the class series of dealing with Teens and Parents, will cost \$ 20,000. This training is prerequisite to the Skate Park reopening in order to guarantee success.

3. WAIVER OF RELEASE OF LIABILITY: Staff recommends all users sign a waiver and those under the age of 18 years of age must have the waiver signed by a parent or legal guardian.

4. DISTRICT IDENTIFICATION CARDS & WRISTBANDS: It is necessary to establish an identification system for users of the skate park. This is important in the event of emergency, fire, natural disaster, illness or injury, or other catastrophic event. The identification card would be issued upon completion, submittal, and approval of the District's liability waiver. Staff would take a photo of the individual which would be imprinted on the Skate Park Identification Card. The card would also have a bar code that could be scanned as well. This would be an expansion of the system currently used by the District in the Aquatics and Teen Center areas. A sample of the CSD Skate Park Identification Card was developed for the Board's review (***ATTACHMENT D***). For those participants using the park on an occasional or limited basis, a daily fee would be paid and a wristband issued upon completion of the waiver process. If Option #1 is approved, cards would be issued for season participants, while daily dated wristbands would be issued to session users. Annual ID card, wristband, and related costs are estimated at: \$ 5,000.

V. FINANCING:

Funding for the Skate Park capital and operational improvements will come from several sources, including the Park Capital Facility Reserves, User Fees and Rentals, Salary Savings within the Parks and Recreation Department, and/or Debt Financing. Any reappropriations that may be necessary will be prepared at the end of the fiscal year when all revenue and expenditure amounts are known.

SUMMARY

To summarize, the following are recommendations being submitted to the Board as a result of staff's research, analysis, and recommendations from meetings with other groups. These recommendations are within the guidelines to achieve the goal of the District in providing a safe and secure facility for customers and staff alike:

- ✓ Designate the park as a "Supervised Skate Park."
- ✓ Option #2 Architectural Proposal - Secure Skate Park with limited fencing around current Skate Park to allow for controlled entry and exit point to the Park, permanent restroom CXT building and permanent CXT kiosk/concession-vending machine building
- ✓ Require release of liability waivers for all Skate Park users
- ✓ Implement a picture Identification Card & Wristband System

ELK GROVE COMMUNITY SERVICES DISTRICT

Your Independent Local Government Agency Providing Parks, Recreation, Fire and Emergency Medical Services

December 6, 2005

Page 8 of 8

- ✓ Operational User Fee Model – Option 1 Fee Schedule
- ✓ Increase Private Rental Fees of Skate Park as proposed
- ✓ Proportion of fees used to offset Capital Improvement Costs
- ✓ Two positions with part-time trained staff members; one to staff the kiosk for check in/check out, and one as a Skate Park Monitor to ensure safety policies and rules are followed and complied with.

In conclusion, the recommendations to the Board are based on sound, logical, and legal analysis to provide modifications to the current operation and physical layout of the Skate Park that provide a family recreational experience.

Please call me prior to the meeting should you have any questions.

Respectfully submitted,

Karen Goesch
Sr. Management Analyst

Attachments:

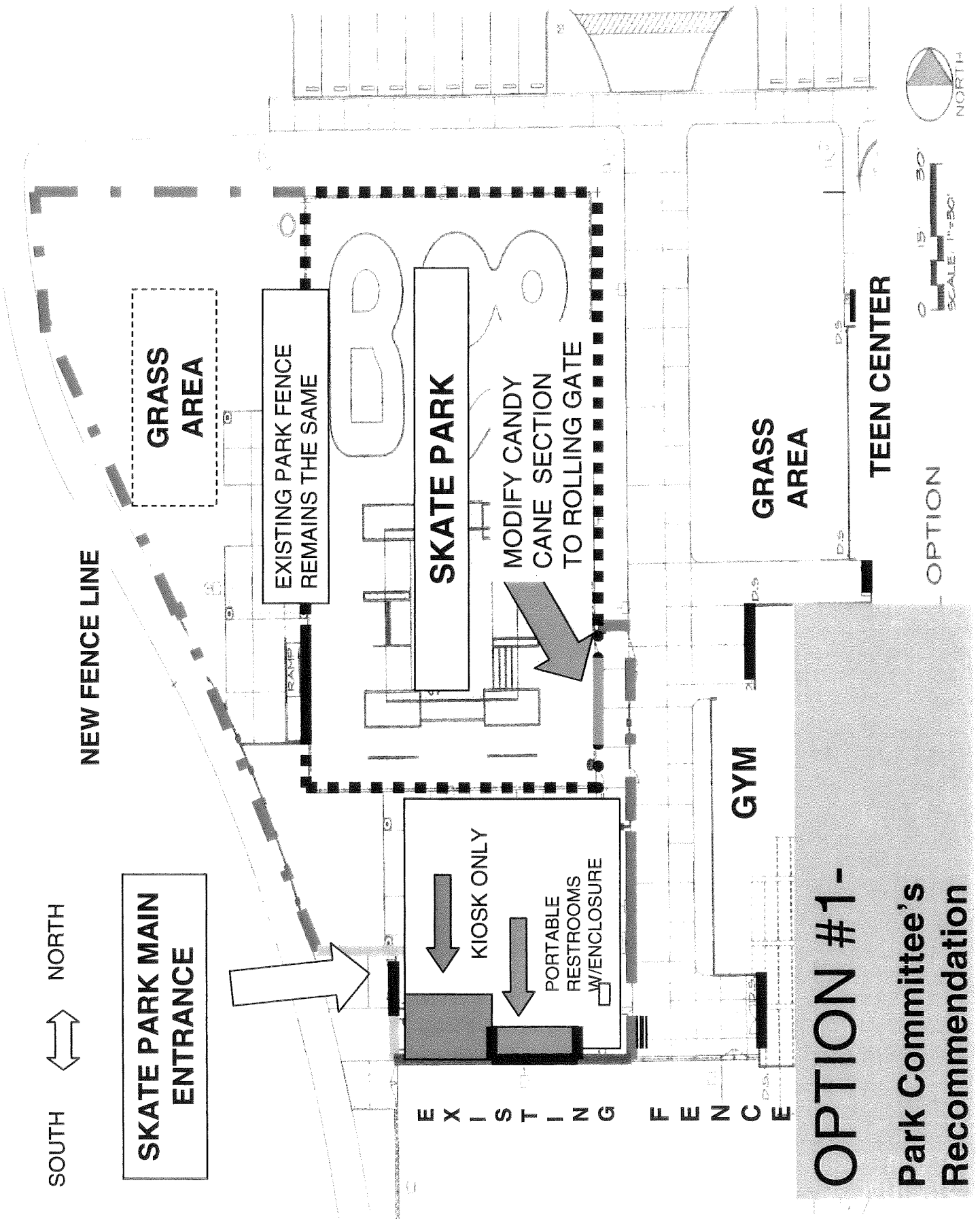
Attachment "A" – Cost Comparison Sheet of Options

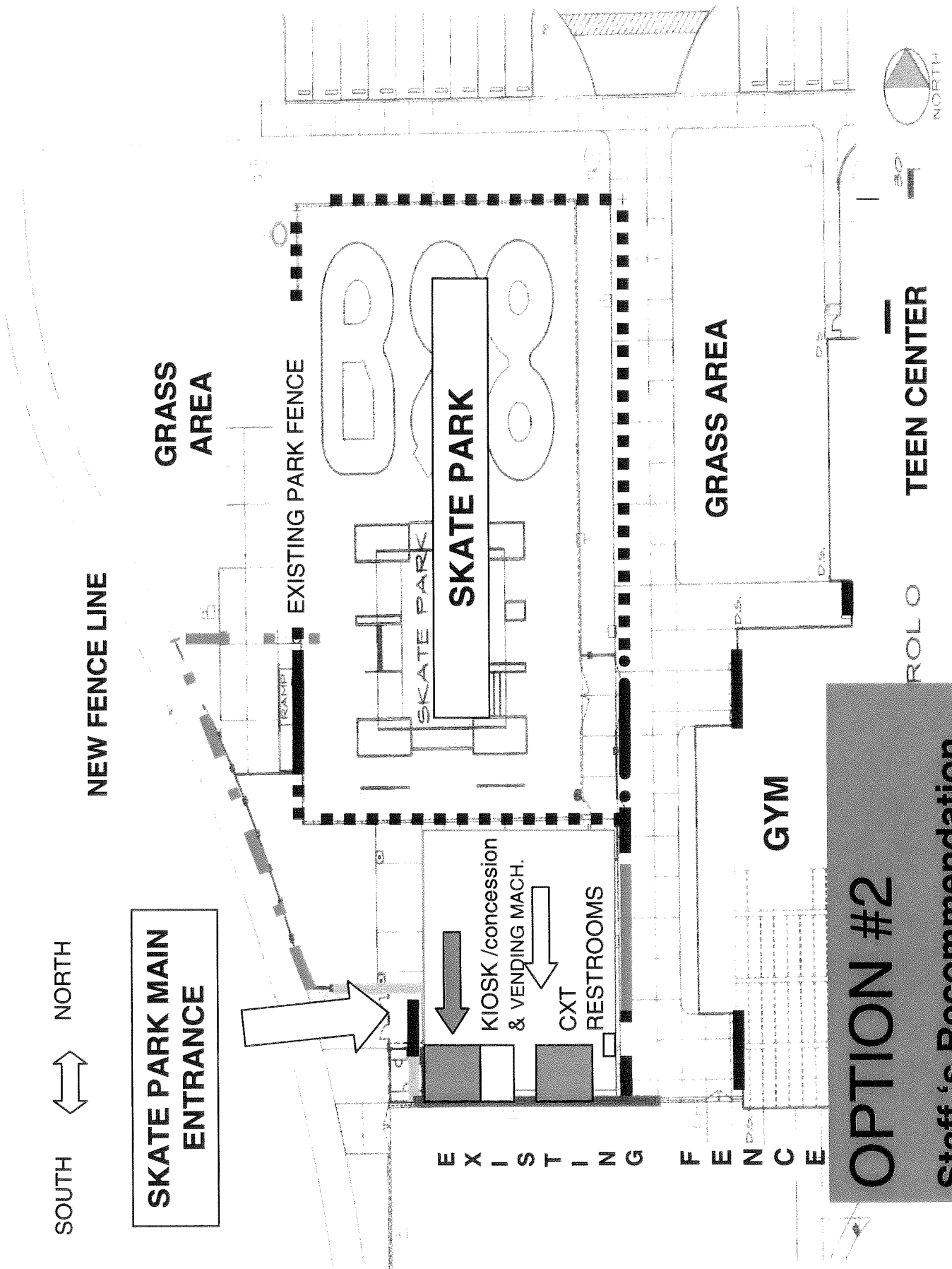
Attachment "B" - Option 1 Architectural Proposal

Attachment "C" – Option 2 Architectural Proposal

Attachment "D" – Sample Identification Card

| OPTIONS: | 1 | 2 |
|---------------------------------|----------------|----------------|
| Fencing | 29,325 | 16,146 |
| Modify fence | 5,000 | 0 |
| Restroom-Permanent | 0 | 38,000 |
| Restroom- Portable, mo. ongoing | 6,000 | 0 |
| Enclosure-Port. Restrooms | 8,500 | 0 |
| Kiosk concession | 0 | 40,000 |
| Architectural/Design | 30,000 | 30,000 |
| Site Utilities | 55,000 | 65,000 |
| Site Preparation | 25,000 | 25,000 |
| Scanning/ID Equipment | 5,000 | 5,000 |
| Shade Structures | 28,929 | 28,929 |
| Landscaping | 25,000 | 12,000 |
| Temp. Kiosk – Tuff Shed | 5,500 | 0 |
| Permits/Fees | 6,410 | 6,410 |
| Cost | 229,664 | 266,485 |





OPTION #2
Staff's Recommendation

SAMPLE SKATE PARK ID CARD:

- Waivers for all participants must be completed and on file
- Skate Park picture ID Cards will be issued upon approval of receipt of the completed and signed waiver



STAFF REPORT

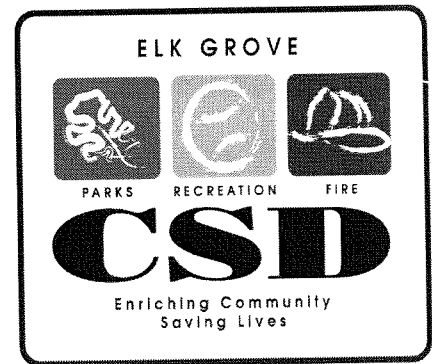
DATE: December 6, 2005

TO: Board of Directors

THROUGH: Donna L. Hansen, General Manager
Jeff Ramos, Chief Operating Officer

FROM: Karen Goesch, Sr. Management Analyst

SUBJECT: ORDINANCE NO. 9 – ADDITIONS AND REVISIONS



RECOMMENDATION

That the Board of Directors conducts first reading of additions and revisions to Ordinance No. 9 and establishes January 3rd 2006 as the public hearing date.

BACKGROUND

Ordinance No. 9 serves to provide regulations for the District. Staff has consulted with law enforcement in regards to making additions and revisions to Ordinance No. 9 due to issues occurring at the Wackford Facility. The District's legal counsel has reviewed the additions and revisions. Additions and revisions to Ordinance No. 9 are being submitted to the Board for approval.

By adopting the new additions and revisions to Ordinance No. 9, the District can increase the safety, security, and well-being of all customers and staff members. The proposed new and modified sections of Ordinance No. 9 are as follows:

NEW:

- 1.07 (b) – Infractions - fines
- 1.11 - Expulsion and Appeal Process
- 1.49 - Obstructing, impeding, or interfering with District business
- 1.52 – Congregating
- 1.53 – Behavior
- 1.54 – Destructive Behavior
- 1.76 – Posted Speed Limit Regulations – District Parks, Parking Lots, and Other District Property
- 1.85 (b) – Defines section as Infraction
- 1.135 (r) - Non-strap Skateboard and In-line Skate Park (holiday operation)
- 1.135 (s) - Non-strap Skateboard and In-line Skate Park (Identification/release of liability)
- 1.135 (t) - Non-strap Skateboard and In-line Skate Park (minor release of liability)
- 1.135 (u) - Non-strap Skateboard and In-line Skate Park (expulsion/citation)
- 1.135 (v) - Non-strap Skateboard and In-line Skate Park (infraction)
- 1.140 (c) – Tennis courts (infraction)
- 1.145 (e) – Dog Parks (infraction)

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REVISIONS:

1.01 - Definitions

1.135 (m) – Non-strap Skateboard and In-line Skate Park (closure)

1.135 (q) - Non-strap Skateboard and In-line Skate Park (minor waiver/releases)

Violation of Ordinance No. 9 is currently a misdemeanor with the exception of felony vandalism. With the addition of the infraction section, specific violations are lessened and considered infractions rather than misdemeanors, with a specific fine imposed.

Persons purposely attempting to block, impede, and disrupt normal business operations within and about various District owned facilities can pose a problem for the District to operate. This along with problems of congregating for the purpose and intent to commit criminal acts involving drugs, alcohol, weapons, illegal fireworks/explosives, and intent to commit assault and battery upon District properties warrants the addition of a section regarding the congregating of individuals to Ordinance No. 9.

Other problems include reckless and intentional behavior that could endanger the safety of persons and/or property. This also includes negative behavior which results in injury to others or destruction of property that is intolerable.

Driving vehicles in facility parking lots, roadways within parks, and other District owned property at dangerously high speeds is a serious safety issue. Staff has received several complaints from the public and other District employees in regards to cars speeding within the areas where children are attending District functions and events. In addition, skid marks have been left within the parking lots and driveways of District owned property. It is recommended that the District adopt Ordinance No. 9 providing for the authority to set and post specific speed limits upon District property.

Additions to Ordinance No. 9 in regards to waivers of liability, identification of park users, consequences for violators, due process, days and hours of operation, as well as amendments for emergency closure is also provided.

The District's legal counsel has reviewed and approved the new proposed additions and revisions to Ordinance No. 9.

Attached you will find a timeline for adoption of the additions and revisions to Ordinance No. 9. The entire Ordinance No. 9 has been attached for your review with the new additions highlighted in green and revisions highlighted in blue.

Please call me prior to the meeting should you have any questions.

Respectfully submitted,

Karen Goesch
Sr. Management Analyst

Attachments:
Timeline
Ordinance No. 9 with additions & revisions

Elk Grove Community Services District

ORDINANCE NO. 9 – ADDITIONS & REVISIONS

ADOPTION TIME LINE

| | |
|---------------------------------|---|
| December 6th, 2005 | Board conducts first reading of ordinance additions and revisions and establishes January 3 rd , 2006 as the public hearing date . |
| December 9 th , 2005 | Notice of Public Hearing is published in the Elk Grove Citizen. |
| December 11 th 2005 | Notice of Public Hearing is published in the Sacramento Bee – Elk Grove Section. |
| January 3 rd , 2006 | Second reading of ordinance additions and revisions and Public Hearing conducted. Ordinance additions and revisions are adopted, rejected, or returned for revisions. |
| January 10 th , 2006 | Ordinance No. 9, if adopted, is published in full in the Elk Grove Citizen. |
| January 12 th , 2006 | Ordinance No. 9, if adopted, is published in full in the Sacramento Bee – Elk Grove Section. |
| February 3rd, 2006 | Ordinance No. 9, if adopted on January 3 rd , becomes effective . |

ELK GROVE COMMUNITY SERVICES DISTRICT

Your Independent Local Government Agency Providing Parks, Recreation, Fire and Emergency Medical Services

Ordinance No. 9

Elk Grove Community Services District Parks and Recreation Park Regulations

Chapter 1

1.01 Definitions

- a. "District" means the Elk Grove Community Services District.
- b. "Administrator" means the General Manager or the Administrator of the Elk Grove Community Services District Department of Parks and Recreation or his/her authorized representative.
- c. "Department" means the Elk Grove Community Services District Department of Parks and Recreation.
- d. "Board of Directors" means the Board of Directors of the Elk Grove Community Services District.
- e. "Park/recreation facility" means any body of water, land, recreation area, park, trail, corridor, building, structure, system, equipment, machinery or other appurtenance owned, managed, controlled or operated by the Elk Grove Community Services District Department of Parks and Recreation. (Enacted July 6, 2004.)

1.05 Permit--Application Contents

- a. Whenever a permit is required by provisions in this ordinance, an application shall be filed with the Administrator, a minimum of two to eight weeks prior to the date, depending on the purpose of the permit, stating:
- b. The name and address of the applicant;
 - 1. The name and address (no post office boxes) of the person, group, organization or corporation sponsoring the activity;
 - 2. The nature of the proposed activity;
 - 3. The dates, hours, and park/recreation facility for which the permit is desired;
 - 4. An estimate of attendance; and
 - 5. Any other information which the Administrator, regarding public health, safety and welfare, finds reasonably necessary to a fair determination as to whether a permit should be issued.
- c. The Administrator, when considering a permit application, shall assess and evaluate the potential disturbances to other park/recreation facility users or the residents in the surrounding neighborhoods. In doing so, the Administrator shall consider the age of the participants, the hours of the activity, the type of activity proposed, the extent and type of advertising thereof, the condition of the premises, including access thereto and other similar and pertinent factors. The Administrator shall designate the minimum number and type of persons who shall be required to be present to enforce laws and regulations and maintain decorum and pedestrian and vehicular traffic control at or about the premises of the activity.
- d. The Administrator shall assess and evaluate such activity or the use of the requested park/recreation facility and, considering the nature of the activity or use, may determine whether or not it will create unusual wear and tear of District park/recreation facilities or accumulation of trash. Upon making such determination, the Administrator may impose conditions on the activity.
- e. The Administrator's decision shall be based upon the exercise of his/her discretion and in light of the above factors and shall be rendered to promote and protect the health, safety

and welfare of the participants in the activity and the spectators who may be drawn thereto, and including the property involved, and the community at large. (Enacted July 6, 2004.)

1.06 Permit--Standards for Issuance

The Administrator shall issue a permit hereunder when he/she finds:

- a. That the proposed activity or use of the park/recreation facility will not unreasonably interfere with or detract from the general public enjoyment of the park/recreation facility;
- b. That the proposed activity or use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety, and recreation;
- c. That all conditions including, where applicable, the payment of fees, approval of the Board of Directors, and insurance coverage, are met;
- d. That the proposed activity or use is not reasonably anticipated to incite violence, crime, or disorderly conduct;
- e. That the proposed activity or use will not entail unusual, extraordinary, or burdensome expense or security operation by the District; and
- f. That the park/recreation facilities desired have not been reserved for other use. (Enacted July 6, 2004.)

1.07 Violation of Regulations--Sanctions

- a. Unless otherwise stated in this ordinance, a violation of any of the provisions of this ordinance, or failure to comply with any of the regulatory requirements of this ordinance, is a misdemeanor subject to the procedures described in Section 19 of the California Penal Code.
- b. *Violations of specified sections deemed infractions shall be punishable by a fine not exceeding fifty dollars (\$50) for the first violation; a fine not exceeding one hundred dollars (\$100) for a second violation within one year; a fine not exceeding two hundred dollars (\$200) for each additional violation of any infraction within one year. Any fine imposed herein is in addition to and not in lieu of expulsion.*
- c. The Administrator shall have the authority to revoke a permit upon a finding of violation of any regulation contained in this ordinance or upon a finding of violation of other District or City regulation or law of this state.
- d. The Administrator shall have the authority to eject from any park facility any person acting in violation of regulations contained in this ordinance.
- e. The regulations contained herein shall not prohibit any person authorized by the Administrator from the normal exercise of requested, assigned, or contractual duties. (Enacted July 6, 2004.)

1.10 Penalties

- a. Every violation of this ordinance constituting a misdemeanor is punishable by a fine not exceeding \$1,000, imprisonment in the county jail not exceeding six months, or by both.
- b. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this ordinance is committed, continued, or permitted by any such person, and shall be punished accordingly.
- c. Malicious injury or destruction of any real or personal property which constitutes vandalism under the provisions of Section 594 of the Penal Code of the State of California, shall be prosecuted as a violation of Penal Code Section 594 and shall be punishable as either a misdemeanor or a felony, as provided in Penal Code Section 594. Under Penal

Code Section 594, if vandalism results in damage of \$400 or more, the vandalism may constitute a felony punishable by a fine of not more than \$10,000 or up to a year in state prison, or both.

- d. Individuals who are ordered by a court of competent jurisdiction to pay a fine for violation of this ordinance shall remit their fine payable to Elk Grove Community Services District. (Enacted July 6, 2004.)

1.11 Expulsion and Expulsion Appeal Process

Violations of Ordinance No. 9 may result in expulsion from any District owned property. An appeal of the expulsion may be filed with the General Manager within 3 days of the incident resulting in the violation. The General Manager, will review the appeal and make a determination within 7 days of receipt of the appeal.

1.15 Closure of Facilities

The Administrator shall have the authority to close any park/recreation facility or portion thereof and require the exit of all persons therein when he/she determines that conditions exist in said facility or portion thereof, which present a hazard to the facility or to public safety. (Enacted July 6, 2004.)

1.20 Park, Recreation and Service Fees—Purpose

Section 61621.5 of the Government Code of the State of California provides that a Community Services District may charge for the use of its facilities and property or services provided in District parks or facilities so long as the charges are reasonable. The purpose of this Section and Sections 1.21, 1.22, 1.23, and 1.25 is to provide for reasonable park fees to be charged by the District for use of park facilities and property or services provided in District parks or facilities. (Enacted July 6, 2004.)

1.21 Park and Recreation Facility Use Fees—Establishment

By Board approval the District may charge fees for park use and use of various facilities or services at one or more of the District parks or recreation facilities, and add to, subtract from, increase or decrease such charges. (Enacted July 6, 2004.)

1.22 Park, Recreation and Service Fees--Criteria

User fees for District park/recreation facilities and services within District boundaries established pursuant to this ordinance shall comply with the following criteria:

- a. Park fees on a per person or per vehicle basis, or both, may be charged in amounts that are reasonable as determined by the District's Board of Directors.
- b. User fees for facilities and services within District park/recreation facilities shall be charged in amounts that are reasonable as determined by the District's Board of Directors. Examples of the types of facilities and services for which fees may be charged include, but are not limited to, the following: parking; swimming; reservation of buildings and other facilities for exclusive use; participation in organized athletic and other programs of recreation. (Enacted July 6, 2004.)

1.23 Schedule of Fees

The schedule of fees may be established by Board approval and shall be applicable to the indicated District park/recreation facilities during the hours of operation of those parks and facilities. The Administrator shall determine the hours of operation of District park/recreation facilities based on the following criteria:

- a. Weather conditions;
- b. Seasonal recreation activities scheduled or expected to occur at the park/recreation facilities;
- c. Nature or extent of public use of the park/recreation facilities;
- d. Cost effectiveness of operation of the park/recreation facilities. (Enacted July 6, 2004.)

1.25 Violations

- a. It is unlawful for any person to enter or remain in any park/recreation facility without having paid the required fee.
- b. Whenever the Administrator determines that parking or standing of vehicles in a District park/recreation facility would be disruptive to park users or create dangerous conditions, then the Administrator shall provide for the erection and posting of signs indicating that the parking or standing of vehicles is prohibited, limited or restricted. It is unlawful for any person to park a vehicle or allow a vehicle to stand in a District park/recreation facility contrary to the prohibitions of any sign authorized by this Chapter. (Enacted July 6, 2004.)

1.30 Failure to Obtain Required Permit

No person shall use, occupy, or otherwise remain in any District park/recreation facility or portion thereof for which a permit is required without first having obtained such permit. (Enacted July 6, 2004.)

1.31 Priority of Use

Any person using a District park/recreation facility or portion thereof which may be reserved by obtaining a permit, but who has not obtained such a permit, shall vacate said area when holders of a valid permit present themselves. (Enacted July 6, 2004.)

1.32 Exhibiting Permit

No person shall fail to produce and exhibit a permit he/she claims to have upon request of any District employee or any peace officer who desires to inspect said permit for the purpose of enforcing compliance with any regulations in this ordinance. (Enacted July 6, 2004.)

1.35 Selling and Advertising

- a. Within the boundaries of any District park/recreation facility, no person shall sell, vend, peddle, expose, offer for sale, or distribute after sale to the public, any merchandise, service, or property, or sell tickets for any event, nor shall any person distribute, circulate, give away, throw, or deposit in or on any park/recreation facility any handbills, circulars, pamphlets, papers, or advertisements, which material calls the public attention in any way to any article or service for sale or hire, nor within any park/recreation facility shall any

person solicit or collect donations of money or other goods from the public, without express approval of the Administrator for such activity within the specific park/recreation facility.

- b. The Administrator may approve requests unless, in the discretion of the Administrator, the request is an unusual one, which should be submitted to the Board of Directors for approval. (Enacted July 6, 2004.)

1.40 Restrooms and Washrooms

- a. Male persons shall not enter any District restroom or washroom set apart for females, and female persons shall not enter any District restroom or washroom set apart for males, except this shall not apply to children under the age of eight years who are accompanied by a person who is of the sex designated for that facility and who has reason to be responsible for that child. A violation of the provisions of this section is a misdemeanor.
- b. No person shall deposit, by means of urination or defecation, any human waste material in any park/recreation facility other than in public toilet or restroom designed to receive waste material. (Enacted July 6, 2004.)

1.45 Water Pollution

While within the boundaries of any District park/recreation facility, no person shall throw, discharge, or otherwise place or cause to be placed in the waters of any fountain, pool, pond, lake, or other body of water or in any tributary, stream, or drain flowing into such waters, any substance, matter, or thing, liquid or solid, including, but without limitation to, particles or objects made of paper, metal, glass, garbage, rubbish, rubber, fuel, food matter, wood, fiber, and plastics. (Enacted July 6, 2004.)

1.46 Refuse

No person shall dump, deposit, or release any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, refuse, or trash in or on any District park/recreation facility, except that refuse which is incidental to the use of the facility may be deposited in the receptacles provided thereof. For purposes of this section, an incinerator, stove, fire ring, barbecue, or other device used to contain fires or for cooking is not a proper receptacle for refuse or other waste material. (Enacted July 6, 2004.)

1.49 Obstructing, impeding, or interfering with District business

- a. No person or group of persons shall, at any time, obstruct, block, impede or interfere in any way whatsoever with the regular course of District business by, including but not limited to, gathering, sitting, standing, or lying on any District owned or District controlled property, or attempt to do same.*
- b. "District business" includes all or any part of the operation of all District pursuits and functions, through all the various District offices and divisions by all District personnel, including appointed officials as well as employees.*
- c. Violation of this section shall be deemed an infraction. Any fine imposed herein is in addition to and not in lieu of expulsion.*

1.50 Smoking

No person shall smoke any substance in any area designated as a nature trail, nature area or within 25 feet of a children's playground or tot lot sandbox area or in or on any District park/recreation facility where smoking is prohibited. (Enacted July 6, 2004.)

1.51 Consumption of Alcoholic Beverages

- a. No person shall possess any can, bottle or other receptacle containing any alcoholic beverage which has been opened, or a seal broken, or the contents of which has been partially removed, in any area designated as a nature trail, nature area or on or within any District park/recreation facility which has been posted with signs prohibiting such possession except at events in which alcohol has been allowed by a permit from the Administrator. The Board of Directors may designate, or authorize the Administrator to designate, the park/recreation or park facilities to be posted.
- b. It shall be unlawful for any person under twenty-one (21) years of age to be in possession of an alcoholic beverage while such person is in or upon any park/recreation facility. Violation of the provisions of this section shall constitute a misdemeanor and shall be punishable pursuant to the provisions of Government Code Section 25132. (Enacted July 6, 2004.)

1.52 Congregating

Persons shall not congregate or assemble on any District premises, park, or facility, under such circumstances that a reasonable person would conclude that the person who has entered and remained on such premises for the purpose of: (i) attempting to commit theft of property from vehicles, buildings, or District Property, (ii) engaging in the use, sales, exchange, or possession of illegal narcotics and/or controlled substances, (iii) engaging in the use, sales, exchange, or possession of alcoholic beverages by a person under the legal age of 21, (iv) engaging in the use, sales, exchange, or possession of illegal fireworks or explosives, (v) assembling for the purpose of threat, assault, or battery on another person, or (vi) physically causing damage to turf, landscape, structures, or buildings.

1.53 Behavior

No person shall use or engage in reckless behavior (including, but not limited to pushing, pulling, forcible actions that could cause injury) or any activity which could endanger the safety of persons using any District owned property or facility.

1.54 Destructive Behavior

No person shall perform any action which contributes to destruction of District owned property. This includes actions such as intentionally and maliciously hitting athletic equipment, including but not limited to, baseball bats, helmets, basketballs, footballs, soccer balls, skateboards, etc. against property such as backstops, fencing, cement skate structures, or other District owned property, which could damage said property.

1.55 Fires

- a. No person shall ignite, maintain, or use any fire in any place within any park/recreation facility except in a barbecue cooker or other cooking device authorized by the Administrator for that purpose.
- b. No person shall ignite or maintain a fire of materials deposited in any can, box, trench, pit, or other receptacle maintained for the purpose of garbage disposal or incineration within a District park/recreation facility. (Enacted July 6, 2004.)

1.56 Fireworks

No person shall possess or ignite in any manner any firecracker or fireworks, including any article for the making of a pyrotechnic display. Nothing contained in this section, however, shall prohibit any discharge or display of fireworks defined and classified as "safe and sane fireworks" as defined by Sections 12505, 12508, and 12529 of the California Health and Safety Code at any public gathering or patriotic celebration provided a permit for such discharge or display has been obtained from the Administrator and a fire permit has been obtained from the Elk Grove Fire Department. (Enacted July 6, 2004.)

1.57 Firearms, Air Guns, and Other Weapons

No person other than peace officers in the discharge of their duties shall use, maintain, possess, fire, or discharge any firearm, air gun, spring gun, bow and arrow, slingshot, or any other weapon potentially dangerous to wildlife or human safety, except in areas, at times, and under conditions designated by the Administrator for such use. A violation of the provisions of this section is a misdemeanor. (Enacted July 6, 2004.)

1.60 Animals

No person shall:

- a. Hunt, molest, harm, provide a noxious substance to, frighten, kill, trap, chase, tease, shoot, or throw missiles at any animal within the boundaries of any park/recreation facility, nor remove nor have in his possession the young, eggs, or nest of any such creature;
- b. Abandon any animal, dead or alive, within any park/recreation facility;
- c. Remove any animal not his own within any park/recreation facility; exception is made to the foregoing in that in proper season, fish may be fished and removed from areas designated for fishing by licensed persons.
- d. Bring into, maintain or allow in or upon any park/recreation facility any dog, cat, or other animal except a horse, unless such animal at all times is kept on a leash of sufficient strength and durability that it cannot be broken by the animal so leashed, and no longer than six feet in length, and be under the full and complete physical control of its owner or custodian at all times. The Administrator may designate areas and times within which persons may show, demonstrate, or train unleashed animals but under full control of their owners or custodians.
- e. Permit cattle, sheep, goats, horses, or other animals owned by him/her or in his/her possession to graze within the boundaries of any park facility without express approval of the Board of Directors.
- f. Ride a horse, pony, mule, burro, or any other animal upon, over or across any park/recreation facility, except at times and upon roads or trails designated for the riding of such animals;

- g. Permit any animal owned by him/her, or in his/her possession, to be brought into or remain upon the premises of any park/recreation facility, if the Administrator has given oral or written notice to remove that animal from such premises. The Administrator may give such notice if such animal is known to the Administrator to at any time have caused any injury or damage to any person, other animal or property of another while upon the premises of any park/recreation facility;
- h. Permit or suffer any animal owned by him/her, or in his/her possession, custody, or control, to defecate upon park/recreation facility property without immediately removing such animal feces, placing said feces in a sealed bag or other sealed container, and placing such bag or container with feces in a proper refuse receptacle. Persons with horses in their possession, custody, or control, at times and upon roads or trails designated for the riding of such animal, and, unsighted persons while relying on a guide dog, are exempt from the provisions of this subsection;
- i. A violation of any of the provisions of this section shall be punishable as a misdemeanor. (Enacted July 6, 2004.)

1.65 Real Property--Appropriation or Encumbrance

No person shall deposit any earth, sand, rock, stone, or other substance within any park/recreation facility, nor shall he dig or remove any such material from within any park/recreation facility, nor shall he erect or attempt to erect any building, wharf, or structure of any kind by driving or setting up posts or piles, nor in any manner appropriate or encumber any portion of the real property owned, operated, controlled, or managed by the District without a permit from the Administrator. (Enacted July 6, 2004.)

1.66 Property--Use Of

No person shall:

- a. Dig up, pick, remove, mutilate, injure, cut, or destroy any turf, tree, plant, shrub, bloom, flower, artifact, or archeological site, or any portion thereof;
- b. Cut, break, injure, deface, or disturb any building, sign, fence, bench, structure, apparatus, equipment, or property, or any portion thereof, or
- c. Without a permit from the Administrator, make or place on any tree, plant, shrub, bloom, flower, building, sign, fence, bench, structure, apparatus, equipment, or property, or any portion thereof, any rope, wire, mark, writing, printing, sign, card, display, or similar inscription or device. (Enacted July 6, 2004.)

1.70 Locks and Keys

No person other than one acting under the direction of the Administrator shall duplicate or cause to be duplicated a key used by the District for a padlock or door lock of any type or description, nor shall any person divulge the combination of any lock so equipped to any unauthorized person. (Enacted July 6, 2004.)

1.75 Motorized Vehicles

- a. While within the boundaries of any park/recreation facility, no person shall drive or operate any automobile, motorcycle, motor scooter, motorized skateboard, pocket bike, trail bike,

dune buggy, truck, or other motorized vehicle on roads or trails other than those designated for that purpose without a permit from the Administrator.

- b. While within the boundaries of any park/recreation facility, no person shall drive any automobile, motorcycle, motor scooter, truck, or other motorized conveyance, except an authorized emergency vehicle, at a rate of speed exceeding twenty-five miles per hour, except as may be otherwise posted by the Administrator, or in any case at speeds exceeding safe conditions dictated by prevailing circumstances.
- c. No person shall operate any automobile or other motorized vehicle within the boundaries of any park/recreation facility unless such vehicle is currently licensed, except unlicensed vehicles may be operated in areas designated for such use by District employees and in accordance with the rules established for such areas.
- d. No person shall park any automobile or other motorized vehicle within any park/recreation facility except in areas specifically designated as parking areas. In no case shall any person park a motorized vehicle in a manner that presents a hazard to the public.
- e. No person shall park or otherwise allow automobiles and other conveyances to remain within the boundaries of any park/recreation facility during the hours the facility is closed without a permit from the Administrator.
- f. No person shall abandon any motorized vehicle within the boundaries of a park/recreation facility.
- g. No person shall wash or repair any automobile or other motorized vehicle within the boundaries of any park/recreation facility.
- h. All motorized vehicles within the boundaries of any park/recreation facility shall be equipped with a properly installed muffler device which is in constant operation and which prevents excessive or unusual noise. No such muffler device or exhaust system shall be equipped with a cutout, bypass, or similar device. (Enacted July 6, 2004.)

1.76 Posted Speed Limit Regulations – District Parks, Parking Lots, and Other District Property

The District may post signs to regulate speed limits of vehicles on any District owned property. Persons violating posted speed limits on District owned property may be cited. Any violation of posted speed limit regulations on District owned property shall be deemed a misdemeanor and fined.

1.80 Bicycle/Pedestrian Trails and Bicycles

Within the boundaries of any park facility no person shall:

- a. Operate any motorized vehicle, including, without limitation, motorcycles, trail bikes, motorized scooters, motorized skateboards, pocket bikes or motorized bicycles upon any bicycle trail except at street, driveway or access road intersections for the purpose of crossing a bicycle trail, without a permit from the Administrator;
- b. Hold any competitive event on any bicycle trail without a permit from the Administrator;
- c. Leave a bicycle in any place or position where other persons may trip over or be injured by it;
- d. Ride a bicycle on a designated off-street bicycle trail in excess of fifteen miles per hour, except for permitted competitive events; or in a manner which is unsafe or which may be injurious to the rider or other persons except for permitted competitive events.
- e. Ride a bicycle upon any unpaved road, trail or area, except on authorized fire roads, service roads or paths designated for bicycle use. (Enacted July 6, 2004.)

1.85 Prohibition of Skates/Skateboards in Park/Recreation Facilities

- a. Except in such areas specifically designated for the use of such devices, no person shall ride upon a skateboard, roller skates, in-line skates, roller skis, or similar device within the boundaries of any park/recreation facility where the use of such devices has been prohibited by the posting of a sign or signs prohibiting such activity in locations which give users of the park/recreation facilities adequate notice and which clearly state the areas or locations of prohibition.
- b. *Violation of this section shall be deemed an infraction. Any fine imposed herein is in addition to and not in lieu of expulsion.* (Enacted July 6, 2004.)

1.90 Hours of Use

The Administrator is authorized to promulgate reasonable opening and closing hours for park/recreation facilities. No person shall enter, remain in, or camp in or on any park/recreation facility during the hours or any part of the hours said facility is closed without a permit from the Administrator. (Enacted July 6, 2004.)

1.95 Games

The playing of rough or comparatively dangerous games such as football, baseball, horseshoes, soccer or of any games involving thrown, hit, or otherwise propelled objects such as golf balls, balls of other description, stones, arrows, javelins, or model airplanes is prohibited except in fields, courts, or areas specifically provided thereof or, with express permission of the Administrator, in areas compatible to said use. Persons desiring to use a park/recreation facility for the specific purpose for which the facility was established shall have priority of use over persons using said facility for another nonproscribed purpose. (Enacted July 6, 2004.)

1.100 Swimming

No person shall swim, bathe, or wade in any water or waterways within any park/recreation facility when such activity is prohibited and so posted by the Administrator upon his/her finding that use of the water would be dangerous to the user, incompatible with the function of the facility, or inimical to public health. (Enacted July 6, 2004.)

1.101 Boats

Public boating shall not be allowed within any District park/recreation facility including but not limited to Elk Grove Regional Park Lake, Camden Lake and Laguna Creek and its tributaries without a permit from the Administrator. (Enacted July 6, 2004.)

1.105 Regulations

The Administrator may establish and post regulations governing the use of park/recreation facilities, which are not inconsistent with regulations contained in this chapter and which promote public health and safety and the preservation of property. (Enacted July 6, 2004.)

1.110 Sound Amplification Equipment

- a. Within any park/recreation facility the volume on the sound amplification equipment must be kept at level that will not disturb other park/recreation facility users or the residents in the surrounding neighborhoods.
- b. Within any park/recreation facility no amplified outdoor music will be permitted past 7:00 p.m. except for community wide special events sponsored by the District.
- c. Within any park/recreation facility, no person shall use sound amplification equipment in excess of the adopted noise levels without a permit from the Administrator. The Administrator, when considering a permit application, shall assess and evaluate the potential disturbances to other park/recreation facility users or the residents in the surrounding neighborhoods. In doing so, the Administrator shall consider, the time frame of the activity, the type of activity proposed, the adjacent activities within the park/recreation facility, the proximity of the activity to residential neighborhoods and businesses, and other similar and pertinent factors.
- d. Upon assessing and evaluating the activity, the Administrator may impose conditions on the activity or may deny a permit.
- e. The Administrator's decision shall be based upon the exercise of his/her discretion and in light of the above factors and shall be rendered to promote and protect the health, safety and welfare of the participants in the activity and the spectators who may be drawn thereto, and including the property involved, and the community at large. (Enacted July 6, 2004.)

1.115 Severability

If any section, subsection, sentence, clause, phrase or portion of these regulations is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof. (Enacted July 6, 2004.)

1.120 Glass Beverage Containers—Prohibition

No person shall possess any cup, tumbler, bottle, jar or other container made of glass and used for carrying or containing any liquid for drinking purposes within any park/recreation facility except in locations where such containers are permitted under the terms of a lease, operating agreement or permit. The Board of Directors may by resolution designate, or authorize the Administrator to designate, the park/recreation facilities to be posted. (July 6, 2004.)

1.125 Concessions

- a. The sale of goods and services, including, but not limited to, food products, apparel, instructional lessons, and entertainment by natural persons or entities for commercial gain potentially adversely and seriously impacts the use of park/recreation facilities for use by the public for recreational purposes. Any such sales must be regulated through the use of concession contracts to insure that the goods and services marketed will promote the beneficial use of park/recreation facilities for recreational purposes.
- b. It shall be unlawful for any person or entity to enter on and use park/recreation facilities owned by the District for the purpose of selling goods or services for commercial gain without having first applied for and obtained from the Board of Directors a concession contract authorizing the sales and otherwise regulating the time, place, and manner of such

sales. The violation of this subsection shall be punishable as a misdemeanor as provided in Section 1.07 of this ordinance.

- c. The provisions of this section shall not be deemed to apply to the sale or distribution of newspapers, books, pamphlets, or other activity constituting protected speech under the First Amendment of the United States Constitution or comparable protections under the California Constitution. (Enacted July 6, 2004.)

1.130 Public Nuisance

Any violation of the provisions of this ordinance constitutes a public nuisance. (Enacted July 6, 2004.)

1.131 Authority to Arrest and Cite

The Administrator authorizes local law enforcement to make arrests and issue citations for misdemeanor and infraction violations of California law, City of Elk Grove codes and ordinances, or District park regulations when the violation is committed within a District park/recreation facility. (Enacted July 6, 2004.)

1.132 Parking Regulations Enforcement

The Administrator authorizes local law enforcement and fire agencies to enforce City of Elk Grove parking codes and to make arrests and issue citations for violation of such parking codes when the violation is committed within a District park/recreation facility. (Enacted July 6, 2004.)

1.135 Non-strap Skateboard and In-line Skate Park

- a. All persons using the District skate park must wear a helmet, elbow pads and kneepads. Violators of this rule will be cited and asked to leave. Helmets must have a chin strap, which must be fastened at all times.
- b. While skating, smaller and/or younger skaters must always be given the right of way by larger and/or older skaters.
- c. The skate park is for use with skateboards and skates only. Bicycles, scooters, and motorized vehicles, including but not limited to, motorized scooters and pocket bikes are prohibited.
- d. Strap on skateboards and mini toy skateboards are prohibited.
- e. Structures, obstacles or other materials (ramps, jumps, etc.) may not be brought into the skate park.
- f. Persons teaching or coaching skaters must wear a protective helmet, elbow pads, and kneepads if they are within the skate park.
- g. Spectators are not allowed on the skating surface, except for persons teaching or coaching skaters.
- h. Skating is only permitted during posted hours of operation.
- i. Food and beverages are prohibited in the skate park.
- j. Glass containers are prohibited in the skate park.
- k. Alcohol and tobacco are prohibited in the skate park.
- l. No person shall cause graffiti, tagging or the placement of stickers or decals on any skate park facilities.

- m. The skate park will be closed when the surface is wet, an injury occurs, a report of a hazard is received, or when other dangerous conditions exist as determined by the Administrator. The skate park will then be inspected upon receiving information of any of the above conditions prior to reopening. The Administrator will have sole authority for re-opening the park.
- n. Animals are not allowed in the skate park.
- o. Amplified music is prohibited in the skate park unless the Administrator has issued a permit.
- p. The District does not assume any responsibility for injuries at the skate park. A disclaimer shall be posted at the skate park, which shall state: "SKATEBOARDING AND SKATING MAY CONSTITUTE HAZARDOUS RECREATIONAL ACTIVITIES PURSUANT TO GOVERNMENT CODE SECTION 831.7(b). USE OF THIS FACILITY MAY RESULT IN SERIOUS BODILY INJURY, DISABILITY, OR EVEN DEATH. ELK GROVE COMMUNITY SERVICE DISTRICT DOES NOT ASSUME ANY RESPONSIBILITY FOR INJURIES. USE AT YOUR OWN RISK."
- q. Children under the age of ~~14~~ 18 are required to provide ~~an express~~ a District Waiver of Release and Liability ~~waiver~~ signed by their parent or legal guardian on file with the District. ~~to the front office inside the community center prior to entering the facility.~~
- r. *All Skate Park users must have valid District issued Identification (i.e. Identification Card, Wristband, Tickets) and a current District Waiver of Release and Liability on file with the District.*
- s. *The Skate Park will be closed on specific holidays, including Thanksgiving, Christmas Day, New Years Day, and Easter.*
- t. *Any person failing to comply with this requirement shall be subject to expulsion and/or citation.*
- u. *Violation of this section shall be deemed an infraction. Any fine imposed herein is in addition to and not in lieu of expulsion.*

1.140 Tennis Courts

- a. It is unlawful for any person upon any District tennis court to engage in any activity other than tennis, including, but not limited to, rollerskating, skateboarding, or riding upon a skateboard, bicycle unicycle, motorized skateboard, pocket bike or motor scooter without a permit from the Administrator.
- b. The Administrator may authorize by sign or by permit the use of a District tennis court for an activity other than tennis, if, in his/her opinion, such activity will not interfere with organized District recreation programs, risk damage to the tennis courts or cause annoyance or disturbance to the surrounding neighborhood. (Enacted July 6, 2004.)
- c. *Violation of this section shall be deemed an infraction. Any fine imposed herein is in addition to and not in lieu of expulsion.*

1.145 Dog Parks

- a. All dogs using a District dog park must be licensed and current on all vaccinations.
- b. Dogs must be leashed when entering and leaving a District dog park.
- c. Dogs that are aggressive, in heat, unruly, ill or under four (4) months are not permitted in a District dog park.
- d. No owner can have more than three (3) dogs under his/her supervision in a District dog park. (Enacted July 6, 2004.)
- e. *Violation of this section shall be deemed an infraction. Any fine imposed herein is in addition to and not in lieu of expulsion.*

1.150 Placement of Signs on District Property

Placement of signs, other than those posted by the District, is not allowed on District-owned property. (Enacted July 6, 2004.)

1.160 Possession of Aerosol Spray Paint Cans by Minors Prohibited

- a. Any minor person under the age of eighteen (18) is prohibited to have in their possession any aerosol spray can containing any substance commonly known as paint, while in a District park/recreation facility, whether such minor is or is not in any automobile, vehicle or other conveyance.
- b. This section shall not apply if such minor is in possession of an aerosol spray can in order to perform a task as directed by the minor's parent, guardian, instructor or employer, and if that task would not be a violation of this ordinance if conducted by an adult. (Enacted July 6, 2004.)